THE BOMBAY LAND REVENUE CODE, 1879 (BOM. V OF 1879).

G. N., G. D., No. 3376, dated 28th Nov. 1877, paras. 1, 2 and 3 (B. G., Pt. I, p. 1008).

Her Majesty's Principal Sceretary of State for India having sanctioned for this Presidency the appointments of three Revenue and Police Commissioners, who are also to have charge of minor Political Agencies, His Excellency the Governor in Council is pleased to issue the following orders.

2. The Revenue and Police Commissioners should be styled Commissioners.

3. The charges under their control which are redistributed as follows* should be distinguished as Northern, Central and Southern Divisions, instead of the present designations of Northern, Southern and Kanarese Divisions :—

*For distribution of charges under the control of the Commissioners see. G.N., R.D., No. 2796/49, dated 18th November 1949.

G. N., R. D., No. 2796/49, dated 18th November 1949 (B. G., Pt. IV-B, p. 2113). S. 4.

In exercise of the powers conferred by section 4 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), and in exercise of the powers conferred by section 4 of the said Code as continued in force by the States Merger (Governors' Provinces) Order, 1949, and in supersession of all the previous orders in this behalf, the Government of Bombay is pleased to direct that the districts specified in column 1 of the Schedule hereto appended which have been reconstituted under the said Code shall, with effect from 1st December 1949, form part of the territories under the general control of the Commissioner specified against them in column 2 of the said Schedule.

Schedule.

Districts.	Commissioner.
1	2
1. Banas Kantha District ..	Commissioner, Northern Division.
2. Sabar Kantha District ..	
3. Mehsana District ..	
4. Amreli District ..	
5. Baroda District ..	
6. Dangs District ..	
7. Ahmedabad District ..	
8. Kaira District ..	
9. Panch Mahals District ..	
10. Broach District ..	
11. Surat District ..	
12. Thana District ..	
13. Bombay Suburban District ..	

Districts.		Commissioner.
1		2
1. Ahmednagar District	..	Commissioner, Central Division.
2. East Khandesh District	..	
3. West Khandesh District	..	
4. Nasik District	..	
5. Poona District	..	
6. Satara North District	..	
7. Sholapur District	..	
8. Kolaba District	..	
1. Belgaum District	..	Commissioner, Southern Division.
2. Bijapur Disrtict	..	
3. Dharwar District	..	
4. Kanara District	..	
5. Ratnagiri District	..	
6. Satara South District	..	
7. Kolhapur District	..	

G. N., R. D., dated 4th Apr. 1871 (B. G., Pt. I, p. 424).

The Right Honourable the Governor in Council is pleased to appoint the Superintendent of Mahableshwar, in the Satara Collectorate, a Deputy Collector under the provisions of Act XXI of 1852, and to invest him with the powers exercised by a Mamlatdar under Bombay Act V of 1864.*

G. N., R. D., dated 2nd Dec. 1868 (B. G., Pt. I, p. 1196).

It is hereby notified with reference to section 3 of Bombay Act I of 1868, published in the *Bombay Government Gazette* of the 1st instant, that the powers and duties of a Collector may not be conferred by a Collector on any Assistant or Deputy Collector who has not passed the Departmental Examination according to the higher standard.

This order does not refer to Deputy Collectors appointed before the issue of the Government order of the 10th April 1866, directing Deputy Collectors to undergo Departmental Examinations.

S. 18. **G. N., R. D., No. 5370, dated 31st July 1901 (B. G., Pt. I, p. 1373).**

In exercise of the power conferred by section 18 of the Bombay Land Revenue Code, 1879, the Governor in Council is pleased to appoint the Director of Land Records and Agriculture to be Commissioner of Survey for the purposes of section 98 and No. 55 of the Rules under section 214 of the said Code.

*Now Bombay Act II of 1906.

G. N., R. D., No. 9159, dated 18th Nov. 1896 (B. G., Pt. I, p. 1161). S. 22.

Amended by G. N., R. D., No. 10477, dated 21st December 1896.
Amended by G. N., R. D., No. 3717, dated 17th May 1897.
Amended by G. N., R. D., No. 3908, dated 5th June 1899.
Amended by G. N., R. D., No. 5219, dated 25th July 1901.
Amended by G. N., R. D., No. 5332, dated 30th June 1905.
Amended by G. N., R. D., No. 4602, dated 6th May 1908.

In exercise of the power conferred by section 22 of the Bombay Land Revenue Code, 1879, the Honourable the Governor in Council is pleased to direct that—

(1) the officers mentioned below shall have and use seals, *viz.* :

(*1*) Commissioners of Divisions; * * *

(*2*) * * *

(*3*) Collectors;

(*4*) Assistant Collectors; * * *

(*5*) Deputy Collectors (including Treasury Officers of the Deputy Collector's Grade), *and Superintendants of Land Records and Agriculture*;

(*6*) Mamlatdars;

(*7*) Mahalkaris;

(*8*) * * * *

(*9*) Huzur Treasurers (Central Division), (*S. D.*) *and* (*N. D.*);

(*10*) City Survey Officers (N. D.);

(*11*) Resident Magistrates of Bandra and Borsad invested with powers under Act III of 1876;

(*12*) District Inspectors of Land Records and Agriculture in the Northern, Central and Southern Divisions;

(*13*) Assistants in charge Head Quarters Offices, Agricultural Department Dharwar and Poona, and in the Northern Division when appointed; and

(2) that the seals shall be circular and of the following dimensions and material

(*a*) Silver seals of which the diameter should be $1\frac{3}{4}$ inches for the officers name at serial numbers (*1*) to (*3*) hereinbefore mentioned;

†(*b*) Seals of brass, copper or gunmetal (whichever may be the most durable material) of which the diameter should be $1\frac{1}{2}$ inches for the officers named at serial numbers (4) and (5) hereinbefore mentioned;

(*c*) Seals of brass, copper or gunmetal (whichever may be the most durable material) of which the diameter should be one inch only for the officers named, at serial numbers (6) to (13) hereinbefore mentioned; and

(3) that pending the preparation of the abovementioned seals, the seals hitherto used shall continue to be used by such of the officers hereinbefore mentioned as have used them.

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†This clause has since been modified by Government Notification No. 4602, Revenue, dated 7th May 1908, printed on page 24 *infra*.

S. 22. **G. N., R. D., No. 4602, dated 7th May 1908 (B. G., Pt. I, p. 659).**

In exercise of the power conferred by section 22 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Governor in Council is pleased to modify clause (*b*) of paragraph 2 of Government Notification in the Revenue Department, No. 9159, dated the 18th November 1896, by directing that the diameter of the seal of Huzur Treasury Officers shall be one inch instead of one and a half inches.

For rules under section 44 of the Act, see the rules under section 75(*c*) of the Forest Act, VII of 1878, published under Notification No. 202, dated 9th January 1885.‡

S. 55. **G. N., R. D., No. 4437, dated 4th June 1896 (B. G., Pt. I, p. 583).**

In exercise of the powers conferred by section 55 of the Bombay Land Revenue Code, 1879, the Governor in Council is pleased to authorize all Collectors in the Presidency, to fix such rates as he may from time to time deem fit to sanction for the use, by land-holders and other persons, of water within the limits of their respective districts in all cases in which the right to such water vests in Government, and no rate in respect thereof is leviable under the Bombay Irrigation Act, 1879.

S. 62. **G. N., R. D., No. 2154, dated 1st March 1909 (B. G., Pt. I, p. 385).**

In exercise of the powers conferred by section 62 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Governor in Council is pleased to direct that in the Thana and Kolaba Districts and in any other district to which Government may hereafter by notification extend these orders, the following conditions, regulating the cutting of trees for tahal shall be annexed to the occupancy before permission to occupy is granted under section 60 of the said Code, namely :—

Conditions.

1. Save as provided in conditions 2 and 3 no occupant shall in the land occupied cut down, pollard, or lop any tree whatever.

2. An occupant may in the land occupied cut down, lop or pollard for his own use injaili trees that are not fruit trees in accordance with the following rules but not otherwise :—

(*a*) in the case of injaili trees 10 feet* high or higher—

(*i*) the leading shoot must be permanently preserved along with all shoots from the topmost third of the main stem ;

(*ii*) shoots that have taken less than 2 years to grow may not be touched ; only shoots that have taken 2 years or more to grow may be lopped off ;

(*b*) in the case of injaili trees less than 10 feet high—

(*i*) where several stems spring from the same root or stump the best of such stems with all shoots from it shall be left untouched till the stem is 10 feet

‡See *B. G.*, 1885, Pt. I, p. 66.

*This should be translated in Marathi " 1½ purush ", a purush being the height to which an average man can reach standing.

high, but all other shoots from the root or stump or from the ground within a yard† of the untouched stem may be cut down to the ground ;

(*ii*) no stem growing singly may be cut or its side shoots lopped, unless it has an untouched stem growing within a yard† of it.

Provided that, with the previous permission of a revenue officer not lower in rank than a Mamlatdar, such occupant may cut down for his own use :—

(*a*) any injaili tree not useful for tahal or fruit, and

(*b*) any fruit tree and any leading shoot or best stem preserved under clause (*a*) (*i*) or (*b*) (*i*) of this rule when in the opinion of such officer such tree, shoot or stem is no longer useful for fruit or tahal.

3. With the previous permission of a revenue officer not inferior in rank to an Assistant or Deputy Collector, an occupant may in the land occupied cut down for his own use any tree other than an injaili tree.

Explanation.—The Collector or Prant Officer may, by written order delivered to the Patel authorize the occupants of a village to cut down the after-growth of teak, blackwood and tivas, subject to the condition that two leading shoots from each stump with all their branches are left permanently untouched and may at any time modify such order by withdrawing such authority either from particular occupants or from all the occupants or in respect of particular areas, and such order as so modified shall be a saving order under condition 3.

Note.

1. In these conditions :—

(*a*) the word " tree " includes all ground shoots which grow into trees, such as Kuda, Kudi, Pethari, and Chera, but does not include bushes ; and the word " bush " shall be deemed to include all ground shoots which do not grow into trees such as Karand, Ukshi, Phangli, Dhaiti and Nirgudi ;

(*b*) the word " occupant " includes—

(*i*) all persons who personally cultivate the soil, whether as tenants or in their own right ;

(*ii*) all land-lords resident in a village and holding land therein, whether they cultivate the soil personally or through tenants ;

but does not include non-resident land-lords.

G. N., R. D., No. 1116-A, dated 18th Feb. 1902 (B. G., Pt. I, p. 298).

S. 73-A.

In exercise of the power conferred by section 73-A of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bombay Act VI of 1901), His Excellency the Governor

†This should be translated in Marathi " 1½ hat ".

in Council is pleased to declare the provisions of that section applicable to the following villages in the Nandurbar Taluka and the Navapur Petha of the Khandesh District, namely :—

I.—Villages of the Nandurbar Taluka.

1 Bhone
2 Betre
3 Dhanore (Kasbe)
4 Ghirasgaon
5 Jalke
6 Khairale
7 Khodade
8 Kothali Khurd
9 Nagsar
10 Nandarkhe
11 Natawad
12 Newale
13 Ozarde
14 Pimplod Khurd
15 Ranale
16 Thanepada
17 Umarde Budruk
18 Velawad
19 Virchak
20 Waghole
21 Wasdare
22 Bhadwad Budruk
23 Bhardu
24 Bijgaon
25 Borchak
26 Chitvi
27 Chorvihir
28 Devalipada
29 Dhong
30 Kadwan
31 Keli
32 Khadki
33 Khandbare
34 Kholghar
35 Kholvihir
36 Mahalkadu
37 Malwan
38 Mograni
39 Nawali
40 Nimboni Khurd, tarf Bhadwad
41 Nimdarde
42 Palshi
43 Pimple
44 Salwan
45 Shrawani
46 Sirwade
47 Umarvihir
48 Wadadhe Budruk
49 Wanjale
50 Watavi
51 Arditara
52 Bhangde
53 Bhil Bhavali
54 Bhil Jamboli

55 Gamdi
56 Gujarpur
57 Kasare
58 Karanjale
59 Khairave Khurd, tarf Dhanore
60 Khairave Budruk, tarf Bhadwad
61 Kothade
62 Lakhmikhede
63 Mangrul
64 Marod
65 Nasarpur
66 Pawle
67 Ranikhadkale
68 Rayagad
69 Shale
70 Shegwe
71 Shehi
72 Tapikhadkale
73 Umaj
74 Wadjakhan
75 Wadli
76 Wagde
77 Waslai
78 Bandharpada
79 Tilasar.

II.—Villages of the Navapur Petha.

1 Amlan
2 Anandpur
3 Babarghat
4 Bari
5 Bhadbhunje
6 Thawre
7 Bil Majre Kelwan
8 Bokalzar
9 Borzar
10 Chacharbundhe
11 Chapti
12 Chauki
13 Dapur
14 Dhaite
15 Dhaj
16 Dhanrat
17 Gadat
18 Gad Majre Wadpatal
19 Ghod Jamne
20 Jamki
21 Jamne
22 Jamtale
23 Kachali
24 Kamlapur
25 Kamod
26 Karanji Budruk
27 Karanji Khurd
28 Kataswan
29 Khapade
30 Khekde
31 Khokarwade
32 Khokse
33 Koreghat
34 Kot Khamb
35 Kukrani
36 Majwan
37 Manikpur
38 Mirkot
39 Morkaranjwe
40 Nagzari
41 Nanchal
42 Nandwan
43 Narayanpur Kasba
44 Nurabad
45 Pangran
46 Parchuli
47 Pati Bedki
48 Payarvihir
49 Pethapur
50 Pimprani
51 Rayapur
52 Sari Majre Umarthe
53 Savrat
54 Shetgaon

55 Shelud
56 Sonkhadke
57 Suli
58 Thawe
59 Thuti
60 Uchal
61 Wadadhe
62 Wadkalambi
63 Zamanzar
64 Zaranpada
65 Lonkhach
66 Khamchodudhar

S. 73-A. **G. N., R. D., No. 5348, dated 2nd Aug. 1902 (B. G., Pt. I, p. 1933).**

In exercise of the power conferred by section 73-A, of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bombay Act VI of 1901), His Excellency the Governor in Council is pleased to declare the provisions of that section applicable to the following villages in the Nandurbar Taluka of the Khandesh District, viz. :—

1 Lekurvali
2 Tarapur

S. 73-A. **G. N., R. D., No. 1116-E., dated 18th Feb. 1902 (B. G., Pt. I, p. 299).**

In exercise of the power conferred by section 73-A of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bombay Act VI of 1901), His Excellency the Governor in Council is pleased to declare the provisions of that section applicable to the village of Umbharpata in the Pimpalner Taluka of the Khandesh District.

S. 73-A. **G. N., R. D., No. 1116-D., dated 18th Feb. 1902 (B. G., Pt. I, p. 299).**

In exercise of the power conferred by section 73-A of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bombay Act VI of 1901), His Excellency the Governor in Council is pleased to declare the provisions of that section applicable to the following villages in the Shahada Taluka of the Khandesh District, namely :—

1 Khatghar
2 Khaparkheda
3 Akaspur
4 Bhuta
5 Tavlai
6 Ganora
7 Titri
8 Chirda
9 Najhiri
10 Virpur
11 Dara

S. 73-A. **G. N., R. D., No. 1116-B., dated 18th Feb. 1902 (B. G., Pt. I, p. 298).**

In exercise of the power conferred by section 73-A of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bombay Act VI of 1901), His Excellency the Governor

in Council is pleased to declare the provisions of that section applicable to the following villages in the Shirpur Taluka of the Khandesh District namely :—

1 Sikval
2 Palsner
3 Sangvi
4 Fatiapur
5 Harakhed
6 Pimprala
7 Borari
8 Amba
9 Khamala
10 Rohini
11 Varla
12 Bhoili
13 Hated
14 Burki
15 Khamkheda
16 Rohisa
17 Ihikheda

G. N., R. D., No. 116-C., dated 18th Feb. 1902 (B. G., Pt. I, p. 298). **S. 73-A.**

In exercise of the power conferred by section 73-A of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bombay Act VI of 1901), His Excellency the Governor in Council is pleased to declare the provisions of that section applicable to the following villages in the Taloda Taluka of the Khandesh District namely :—

1 Amli
2 Amalpada
3 Ankushvihir
4 Ban
5 Bandhara
6 Borikuwa
7 Chavgaon
8 Chauki Ambli
9 Dhanpur Budruk
10 Dhekati
11 Ekdhad
12 Gadhavli
13 Ichhagavhan
14 Jambli
15 Juwani
16 Khardi Khurd
17 Khushgavhan
18 Kumbharkhan
19 Kundwe
20 Lakhapur
21 Pandharke
22 Pathadi
23 Rajgad *urf* Ramgad
24 Ranipur
25 Rapapur
26 Ratanpada
27 Retpada
28 Sawar
29 Sojarbara
30 Somawali Khurd
31 Umarkuwa
32 Umarkuwa *tarf* Unai
33 Walher
34 Zumkatti
35 Khadka
36 Akalutara
37 Relpada
38 Alwani
39 Khardi Budruk
40 Malkhurd
41 Singaspur
42 Lakadkot

S. 73-A. **G. N., R. D., No. 296, dated 10th Jan. 1908 (B. G., Pt. I, p. 42).**

In exercise of the power conferred by section 73-A of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), as amended by the Bombay Land Revenue Code Amendment Act, 1901 (Bom. VI of 1901), His Excellency the Governor in Council is pleased to declare the provisions of that section applicable to the villages of Shrikheda and Biladi in the Shahada Taluka of the West Khandesh District.

S. 73-A(2). **G. N., R. D., No. 10363-A., dated 22nd October 1907 (B. G., Pt. I, p. 1774).**

In exercise of the power conferred by section 73-A, sub-section (2) of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Governor in Council is pleased to exempt from the operation of the said section all Brahmins and Banias (Wanis) holding lands in the villages of the Nandurbar Taluka (including the Navapur Petha) of the West Khandesh District to which the provisions of the said section were declared to be applicable by Government Notification in the Revenue Department, No. 1116-A, dated the 18th February 1902†.

S. 73-A (2). **G. N., R. D., No. 11559, dated 13th November 1908 (B. G., Pt. I, p. 1997).**

In exercise of the power conferred by section 73-A, sub-section (2) of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Governor in Council is pleased to exempt from the operation of the said section all Brahmins and Banias (Wanis) holding lands in the villages of the Shirpur Taluka of the West Khandesh District, to which the provisions of the said section were declared to be applicable by Government Notification in the Revenue Department, No. 1116-B, dated the 18th February 1902††.

S. 73-A (2). **G. N., R. D., No. 3875, dated 22nd April 1909 (B. G., Pt. I, p. 662).**

Amended by G. N., R. D., No. 355, dated 11th January 1916.

In exercise of the power conferred by section 73-A, sub-section (2) of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Governor in Council is pleased to exempt from the operation of the said section all Marwadis, Kshatris, Parbhus, Boris and Parsis holding lands in the villages of the Shirpur Taluka of the West Khandesh District to which the provisions of the said section were declared to be applicable by Government Notification in the Revenue Department, No. 1116-B, dated the 18th February 1902.††

* * * *

S. 98. **G. N., R. D., No. 6577, dated 15th August 1905 (B. G., Pt. I, p. 1043).**

In accordance with the provisions of section 98 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), and in supersession of Government Notification in the Revenue Department, dated the 6th October 1869 so far as the same applies

†Printed at page 25 *supra.*

††Printed at page 29 *supra.*

to the districts of the Central Division the Governor in Council is pleased to accord his sanction to the minimum area fixed in the scale hereto annexed by the Commissioner of Survey for survey numbers comprising land used for purposes of agriculture only in the said districts :—

Scale.

Class of land.	Minimum Area.	
	Acres.	Gunthas.
Dry-crop	1	0
Rice	0	10
Garden	0	10

G. N., R. D., No. 8071, dated 13th October 1896 (B. G., Pt. I, p. 1071). S. 98.

Under the provisions of section 98 of the Bombay Land Revenue Code, 1879, His Excellency the Governor in Council is pleased to fix the following scale for the regulation of sub-division of survey numbers in the above-ghat talukas of the Kanara District :—

	Acres.	Gunthas.
Dry-crop land	3	0
Rice land	1	0
Garden land	0	20

G. N., R. D., No. 6960, dated 21st September 1897 (B. G., Pt. I, p. 1652). S. 123.

His Excellency the Governor in Council is pleased to notify that the survey of the suburb of Madhavpura in the town of Dariapur-Kajipur, zilla Ahmedabad completed in or about the year 1852, is recognized by Government for the purposes of section 128, Land Revenue Code.

G. N., R. D., No. B. 205, dated 26th January 1921 (B. G., Pt. I, p. 377). Ss. 213 & 214. Land Revenue Rules (1921).

**Amended by G. N., R. D., No. 9138-B, dated 8th March 1937.*

Amended by G. N., R. D., No. 4578/33, dated 22nd May 1937.

Amended by G. N., R. D., No. 5887/33, dated 25th July 1938.

Amended by G. N., R. D., No. 284/24, dated 29th July 1938.

Amended by G. N., R. D., No. B-205, dated 19th October 1938.

Amended by G. N., R. D., No. 10025/28, dated 16th December 1938.

Amended by G. N., R. D., No. 5542/33, dated 24th January 1939.

Amended by G. N., R. D., No. 3783/33, dated 11th August 1939.

*Since the Land Revenue Rules were contained in the Manual published by Anderson, they were not published in extenso in the last edition of the Local Rules and Orders. Rules were corrected by Anderson upto 1935. Hence, a list only of the amending notifications issued since 1936 onwards has been given. There was no amending notification in 1936.

Amended by G. N., R. D., No. 1472/33, dated 31st August 1939.
Amended by G. N., R. D., No. 570/39, dated 27th September 1939.
Amended by G. N., R. D., No. 1586/39, dated 11th October 1939.
Amended by G. N., R. D., No. B-205, dated 27th November 1939.
Amended by G. N., R. D., No. 482/39, 2nd February 1940.
Amended by G. N., R. D., No. 1016/39, dated 5th March 1940.
Amended by G. N., R. D., No. 1016/39, dated 21st May 1940.
Amended by G. N., R. D., No. 9115/33, dated 24th July 1940.
Amended by G. N., R. D., No. 4872/33, dated 29th July 1940.
Amended by G. N., R. D., No. 4256, dated 7th August 1940.
Amended by G. N., R. D., No. 10106/33, dated 28th October 1940.
Amended by G. N., R. D., No. 5882-B, dated 6th November 1940.
Amended by G. N., R. D., No. 1016/39, dated 20th December 1940.
Amended by G. N., R. D., No. 2806, dated 25th February 1941.
Amended by G. N., R. D., No. 1834/24, dated 14th March 1941.
Amended by G. N., R. D., No. 1834/24-Corrigendum, dated 28th August 1941.
Amended by G. N., R. D., No. 1016/39, dated 15th September 1941.
Amended by G. N., R. D., No. 4536/39, dated 22nd December 1941.
Amended by G. N., R. D., No. 1672/39, dated 7th January 1942.
Amended by G. N., R. D., No. 7773-III, dated 24th March 1942.
Amended by G. N., R. D., No. 7241/33-III, dated 24th March 1942.
Amended by G. N., R. D., No. 8214/39, dated 3rd December 1942.
Amended by G. N., R. D., No. 2322/28, dated 28th February 1944.
Amended by G. N., R. D., No. 8566/39, dated 4th May 1944.
Amended by G. N., R. D., No. 6369/39, dated 6th June 1944.
Amended by G. N., R. D., No. 1016/39, dated 8th July 1944.
Amended by G. N., R. D., No. 6406/28, 19th September 1944.
Amended by G. N., R. D., No. 9394/39, dated 5th October 1944.
Amended by G. N., R. D., No. 7302/39, dated 18th December 1944.
Amended by G. N., R. D., No. 8557/33, dated 29th May 1945.
Amended by G. N., R. D., No. 1016/39, dated 2nd April 1947.
Amended by G. N., R. D., No. 3783/33, dated 16th September 1947.
Amended by G. N., R. D., No. 7003/35, dated 12th April 1948.
Amended by G. N., R. D., No. 2596/45, dated 29th April 1948.

In exercise of the powers conferred by sections 213 and 214 of the Bombay Land Revenue Code, 1879 (Bombay V of 1879), and of all other powers enabling him in this behalf, and in supersession of Government Notifications in the Revenue Department No. 7368, dated the 6th December 1881, No. 8356, dated the 27th November 1903, No. 5223, dated the 28th June 1905, and No. 5641 dated the 5th June 1907, and all notifications amending the same, the Governor in Council is pleased to make the following rules :—

CHAPTER I.

Introductory.

1. *Short title.*—These rules may be called the Land Revenue Rules, (1921).

2. *Interpretation.*—In these rules, unless there is anything repugnant in the subject or context,

(*a*) " Chapter " and " Section " mean a chapter and a section of that Code.

(*b*) " Mamlatdar " includes Mahalkari.

(*c*) " Public Document " has the same meaning as in section 74 of the Indian Evidence Act, 1 of 1872.

*CHAPTER II.

(Administrative Orders only.)

CHAPTER III.

Revenue Surveys.

Survey of Agricultural Land and Survey and Assessment of Non-Agricultural Land.

3. *Survey numbers and sub-divisions.*—(1) Every holding not less in area than the minimum fixed under section 98 shall be separately measured, classified, assessed and defined by boundary marks, and entered in the land records as a survey number.

(2) Every holding of which the area is less than such minimum shall be separately measured, classified and assessed and entered in the land records as a subdivision of that survey number in which it is directed to be comprised ; it may also be separately demarcated if the Commissioner of Survey so directs, provided that the said Commissioner may require the persons interested in such holding to prepay the costs, or such portion of the costs as he thinks fit, of so defining the holding.

4. *Record of measurements.*—All measurements shall be recorded in a book or embodied in a plane table map kept in such form as shall be prescribed by the Commissioner of Survey for each survey. The said books or maps shall be preserved as a record of the survey.

5. *Test of measurements.*—The original measurements made by the subordinate survey officers employed for the purpose shall be tested by the officers in charge of measuring establishments in such manner and to such extent as the Commissioner of Survey shall deem sufficient.

6. *Village maps.*—Village maps shall be prepared under the orders of the Commissioner of Survey showing each survey number and its boundary marks.

7. *Classification of land.*—For the purposes of assessment all lands shall be classed with respect to its productive qualities. The number of classes and their relative value reckoned in annas shall be fixed under the orders of the Commissioner of Survey with reference to the circumstances of the different tracts of country to which the survey extends and to the nature of the cultivation.

*Not printed.

8. *Field-books.*—Every classer shall keep a field-book and record therein the particulars of his classification of each survey number and sub-division and the reasons which led him to place it in the particular class to which in his estimation it should be deemed to belong. Such field-books shall be preserved as permanent records of the survey.

9. *Test of classification.*—A test of the original classification made by the subordinate officers employed for this purpose shall be taken by the officers in charge of classing establishments, in such manner and to such extent as may be directed by the Commissioner of Survey.

10. *Deleted.*

10-A. *Deleted.*

11. *Amalgamation.*—Any survey number or sub-division of a survey number may be amalgamated with any other coterminous survey number with the sanction of the Collector and upon the application of the holder, whenever all the parcels of land proposed for amalgamation are held by the same holder upon the same tenure.

(2) Any sub-division may be amalgamated without prior sanction with any coterminous sub-division of the same survey number held by the same holder upon the same tenure.

(3) When such amalgamation is effected, the two or more portions of land shall become one entry in the land records, bearing the same distinguishing number as the first in series of the amalgamated numbers. Any boundary marks placed between the amalgamated holdings shall be removed and the village map corrected accordingly.

12. (1) *Application of rules 3* to *11.*—Rules 3 to 11, unless otherwise directed by the State Government, shall be observed in the conduct of revenue surveys of lands used, or which may be used, for the purposes of agriculture.

(2) *Form and details.*—Matters of detail not provided for in the foregoing rules shall be determined in each survey in accordance with such general or special orders as the Commissioner of Survey, acting under the general control of the State Government may, from time to time, issue.

Survey and Assessment of non-agricultural land.

13. (1) *Non-agricultural land not to be classified in accordance with foregoing rules.*—Land of any of the kinds specified in sub-rule (2) shall be measured and mapped in accordance with rules 3 to 6 inclusive, but shall not be classified or assessed in accordance with rules 7 to 10.

(2) The lands referred to in sub-rule (1) are the following :—

(*a*) occupied unalienated lands, which are situated within an area in which a survey under rules 3 to 11 is in progress and which are used forany non-agricultural purposes ;

(*b*) unoccupied unalienated lands, situated within any such area, which are deemed to be likely to be more in demand for building or industrial purposes than for agriculture ; and

(*c*) all lands to which a survey is extended under section 131.

14. *Assessment of non-agricultural land.*—The Collector on receipt of a schedule of the lands referred to in rule 13 (2) shall assess them at the same rates and for the same period as if he were altering an agricultural assessment under whichever of Rules 81 to 85 has been applied to the locality.

Provided that land wholly or partially exempt from assessment under the proviso to section 52 or under section 128 or otherwise shall not, so far as it is so exempt, be assessed.

And also provided that land held under unexpired leases shall become liable to the rate of assessment in force for the locality only upon the expiry of those leases.

14-A (1). All non-agricultural assessments, rents and fines leviable under rules 43, 43-A, 43-B, 47, 51, 80—83, 90, 92, 93, and 99—103 shall be calculated out to the nearest pie at the rate (per acre or otherwise) sanctioned upon the area chargeable; but any sum so calculated that—

(*i*) is less than two annas, shall be raised to 2 annas;

(*ii*) exceeds two annas, and is not an exact multiple of two annas, shall be rounded off, upwards or downwards, and when equidistant upwards, to the nearest multiple of two annas—*e.g.*,

an assessment (fine or rent) of one anna and 3 pies will be charged as two annas;

an assessment (fine or rent) of two annas and 11 pies will be charged as two annas;

an assessment (fine or rent) of 3 annas will be charged as four annas;

an assessment (fine or rent) of Rs. 8-9-5 will be charged as Rs. 8-10-0;

an assessment (fine or rent) of Rs. 8-10-7 will be charged as Rs. 8-10-0;

an assessment (fine or rent) of Rs. 8-11-0 will be charged as Rs. 8-12-0.

15. *Maintenance of records.*—For all lands which have in the past been surveyed or assessed, or which shall be hereafter surveyed or settled under the provisions of the Code and these rules, it shall be the duty of the Director of Land Records—

(1) to cause to be corrected any arithmetical or clerical error whenever discovered;

(2) to cause to be incorporated punctually in the land records all changes in boundaries, areas, tenures and assessments either of survey numbers or of their sub-divisions which are made under orders of competent authority as defined in the Code and these rules or any other Act:

Provided that where the assessment of any survey number has been fixed by a declaration under section 102, such assessment shall not be raised upon the discovery of any mistake in classification until the term of such declaration expires.

16. Detailed instructions and forms shall be drawn up and maintained by the Director of Land Records, subject to the orders and approval of the State Government from time to time for the proper carrying out of Rule 15.

Introduction of Settlements of Land Revenue.

17. *Deleted.*

18. *Deleted.*

Survey Fees in Towns and Cities.

19. *Survey fees in towns and cities.*—(1) Where a survey is extended to the site of a town or city, the survey fees payable under section 132 shall ordinarily be so

fixed that the total sum payable in respect of such site shall cover the cost of the survey and preparation of the Record of Rights thereof.

(2) In fixing the fees for each building site or any portion thereof held separately the Collector shall have regard to the provision of sub-rule (1) and to the position, value (or rental), and area of such building site or portion thereof, but such fee shall not exceed ten rupees.

CHAPTER III-A.

Settlement and Assessment of Agricultural land.

19-A. *Enquiry by the Settlement Officer.*—(1) In making a settlement in respect of agricultural lands in any area, the Settlement Officer shall hold an enquiry in the manner prescribed in sub-rule (2).

(2) The Settlement Officer shall examine fully the past revenue history of the area and assess the general effect of the incidence of assessment on the economic condition of the area. He shall collect information relating to the area in respect of the following matters and in the following manner:

(*i*) *Physical configuration.*—The Settlement Officer shall base the information on observations made by him personally;

(*ii*) *Climate and rainfall.*—The Settlement Officer shall base the information as regards climate on personal observations made by him and by making local enquiries in the area. He shall collect statistics of rainfall for the years subsequent to the introduction of the last settlement from the Director of Agriculture and compile the same in Form A. He shall also collect information regarding the seasonal conditions of the area from the Director of Agriculture and verify it by reference to the Land Revenue Administration Reports or other reports relating to the area issued by Government. The information under this clause may be collected only for ten years immediately preceding the year of enquiry if in the opinion of the settlement officer it is sufficient to exhibit the normal seasonal conditions of the area;

(*iii*) *Markets.*—The Settlement Officer shall base the information on personal observations made by him;

(*iv*) *Communications.*—The Settlement Officer shall base the formation on personal observations made by him;

(*v*) *Standard of husbandry.*—The Settlement Officer shall base the information on personal observations made by him;

(*vi*) *Population and supply of labour.*—The Settlement Officer shall obtain figures of population according to occupation from the Director of Agriculture and compile them in Form A-1. He shall ascertain the conditions as regards supply of labour in each group in the area by making enquiries in such villages as he may select, with the previous sanction of the Settlement Commissioner. The number of villages so selected shall not be less than 50 per cent. of the total number of villages in the area;

(*vii*) *Agricultural resources.*—The Settlement Officer shall obtain information regarding figures of livestock, agricultural implements and other agricultural resources from the Mamlatdar and compile it in Form A-2;

(*viii*) *The variations in the area of occupied and cultivated lands during the last 30 years.*—The Settlement Officer shall obtain information in respect of this matter from the Mamlatdar and shall compile it in Forms A-3 and A-4 ;

(*ix*) *Wages.*—The settlement officer shall obtain the necessary information from the Mamlatdar and verify the information about wages current during the year of enquiry from personal observation. He shall compile the information in Form A-5 ;

(*x*) *Prices.*—The information about the prices of the principal articles of agricultural produce shall be obtained from the Director of Agriculture and compiled in Form A-6. The prices shall be wholesale prices expressed in rupees per maund of 3,200 tolas, if available, and retail prices expressed in seers of 80 tolas per rupee and, where more than one quality of any produce is grown, shall be the prices of the variety specified by Government. The principal articles of agricultural produce shall be those defined in rule 19-1 ;

(*xi*) *Yield of the principal crops.*—The Settlement Officer shall collect the information from the Collector and the Director of Agriculture regarding crop experiments, the results of which have been recorded by them. The settlement officer shall also try to ascertain the normal yield per acre in each class of land by crop experiments or by examining the accounts of individual agriculturists ; and shall in all such cases record the classification value of the land the normal yield of which has been so ascertained by him ;

(*xii*) *Ordinary expenses of cultivating such crops.*—The information shall be collected in respect of the crop experiments referred to in clause (*xi*) or by examining the accounts of individual agriculturists. The result shall be recorded in the form of a statement of income and expenditure showing the net profit per acre ;

(*xiii*) *Rental values of lands used for the purposes of agriculture.*—The statistics about the rental values for the five years preceding the year of settlement shall be collected from the record of rights. The Settlement Officer shall examine the statistics of the villages selected by him under clause (*vi*) of this sub-rule and shall check the figures mentioned in the record of rights during his visit to the villages by verifying them from the parties concerned or by such other local inquiry as he considers suitable.

If in any case, the rent payable is a fixed amount of produce, the Settlement Officer shall work out its value in money. In cases in which the rent payable is a share of the gross produce (the Settlement Officer shall not take such cases into consideration if other reliable rental figures are available in reasonable numbers) the Settlement Officer shall ascertain the actual share of the produce received by the landlord, and determine its value in money. In all such cases in which the rent is paid in kind, the Settlement Officer shall ascertain and make deductions for the liabilities, if any, of the landlord, such as, his liability to meet a share of customary payments to village servants or for charitable purposes ; or to defray part of the cost of production such as the cost of seed or manure or weeding or irrigation.

In cases where rents are paid in cash the Settlement Officer shall not take into consideration (1) rents paid by tenants for lands which belonged to them but which they have mortgaged with possession or sold and taken back on lease, (2) rents due under leases between relations the real object of which is to provide maintenance to dependents, (3) rents due in respect of deteriorated or waste lands which have

to be reclaimed, (4) rents which are either too low as they are coupled with service or too high, the higher rent being paid on charitable grounds, and (5) rents due under all such leases as do not appear to be genuine.

The Settlement Officer shall also enquire and record whether deductions are made from the rent on account of expenses such as cost of seed or manure incurred by the landlord and whether the rents are paid in full and regularly. The statement of rental values shall be compiled in Form A-7 ; and

(*xiv*) *Sales of lands used for the purposes of agriculture.*—The Settlement Officer shall examine the statistics for the five years preceding the year of settlement, of the villages selected by him under clause (*vi*) of this sub-rule to enable him to come to fairly accurate conclusions regarding the development of land values in the area and its component groups. The Settlement Officer shall for this purpose exclude all sales which are not genuine, e.g. (*a*) sales which are conditional mortgages whereby the vendor becomes the tenant and pays interest and instalments of capital in the guise of rent, (*b*) sales for nominal value between relatives, (*c*) sales for nominal value to temples, (*d*) sales in satisfaction of debts to a sowcar, (*e*) sales of small pieces of agricultural land in the vicinity of residential areas. The statistics shall be compiled in Form A-8.

19-B. *Settlement Report.*—(1) The Settlement Officer shall incorporate the information collected by him in regard to the matters specified in sub-rule (2) of rule 19-A in his settlement report. The report shall contain the reasons for his proposals and a statement in Form A-9, showing the effect of his proposals as compared to that of the settlement then in force.

(2) The Settlement Officer shall send three copies of the report submitted by him to the Collector under sub-section (5) of section 117I to the Settlement Commissioner who shall arrange for its translation in the regional language of the villages concerned and have it printed.

19-C. *Report to be published in each village.*—The settlement report shall be published by the Collector in each village concerned in the regional language of such village by posting it along with the notice published under sub-section (2) of section 117J for three months in the chavdi or other prominent public place in such village and also at the taluka kacheri.

19-D. *Notice under section 117J* (2).—The notice under sub-section (2) of section 117J shall be published in Form A-10 by the Collector.

19-E. *Report to be forwarded to State Government.*—After the expiry of three months from the date of the notice published under sub-section (2) of section 117J, the Collector shall as soon as may be forward the settlement report and the petitions of objections, if any, received by him together with his remarks thereon to the Settlement Commissioner who shall send them with his own remarks to the Commissioner of the Division. The Commissioner shall then submit them to the State Government with his own remarks and recommendations.

19-F. (1) Any person desiring to move the State Government to refer the settlement report to the Bombay Revenue Tribunal under section 117KK of the Bombay Land Revenue Code, 1879, shall deposit Rs. 100 in the Government Treasury. He shall state in his application to the State Government his objections to the report and the grounds therefor.

(2) On receipt of such application and on the applicant depositing the amount prescribed in sub-rule (1), the State Government shall direct that the settlement report together with the application shall be sent to the Bombay Revenue Tribunal for enquiry.

(3) On receipt of the settlement report together with the application, the Bombay Revenue Tribunal may call for such further information as it deems necessary from the State Government or the applicant or any other person. The Bombay Revenue Tribunal shall then fix the date, place and time for holding the enquiry and give a notice of the same to the State Government and to the applicant.

(4) The State Government may be represented at the enquiry by such officer as may be authorised by it. The applicant shall be entitled to put in a written statement at the enquiry. No pleader, vakil or mukhtyar and no advocate or attorney of a High Court shall be entitled to appear on behalf of the applicant or the State Government at the enquiry except with the permission of the Bombay Revenue Tribunal.

(5) On the date fixed for holding an enquiry or on such date to which the enquiry may, from time to time, be adjourned, the Bombay Revenue Tribunal shall hear the applicant and the officer representing the State Government and make such further enquiry as it thinks fit.

(6) The Bombay Revenue Tribunal shall then submit to the State Government its opinion on the objections raised and on such other matters as may have been referred to it by the State Government. Such opinion shall be submitted within two months from the date of the reference made to the Tribunal by the State Government.

(7) When more than one application has been received in respect of a settlement report, pertaining to the same taluka or village, the Bombay Revenue Tribunal may, in its discretion, hold a joint enquiry in the matter.

(8) If the Revenue Tribunal's findings are entirely in favour of the applicant, the whole of the amount of the deposit shall be refunded to him. If his objections are only partially accepted such portion of the amount as may be recommended by the Revenue Tribunal shall be refunded to him. If his objections are rejected in entirety or found to be frivolous by the Revenue Tribunal he shall not be entitled to get any refund of his deposit.

19-G. *Notice of introduction of settlement.*—(1) The notice under section 117O shall be in Form A-11 and shall be published by the Collector in each village concerned in the regional language of such village by posting it in the chavdi or other prominent public place in such village and by beat of drum.

(2) Such notice shall also be published by the State Government in the *Official Gazette*.

19-GG. In any area in which the relative valuation of land as regards its soil, water and other advantages is recorded separately in the survey records, separate rates may be fixed in respect of each of those advantages of 16 annas value, and the standard rate in such cases shall be a combination of such separate rates :

Provided that where no such separate rates are fixed, the standard rate shall be the assessment per acre of land having the maximum valuation in respect of each of those advantages.

19-H. *Assessment of individual survey numbers and sub-divisions.*—(1) When standard rates of assessment have been sanctioned by the State Government, the assessment to be imposed on each survey number or sub-division shall be determined according to the relative classification value of the land comprised therein, in accordance with the tables of calculations prepared by the Settlement Commissioner.

(2) The assessment to be imposed on each survey number or sub-division after a revision settlement shall be worked out by increasing or decreasing the old assessment in the same proportion as there is an increase or decrease in the new standard rates over the old maximum or standard rates in respect of such lands :

Provided that if the classification value of the land comprised in such survey number or sub-division is changed, the assessment shall be calculated in accordance with the provisions of sub-rule (1).

19-HH. When the revised assessment on any survey number or sub-division thereof determined either under rule 19-H or otherwise exceeds the existing assessment levied on it by more than 25 per cent. in cases falling under sub-section (4) or (5) of section 117F of the Code such excess shall be recovered by stages of 25 per cent. every two years ; that is to say, commencing with the year next following the year in which the settlement is introduced, the recovery of excess shall be subject to the limit of 25 per cent. over the existing assessment for the first two years, 50 per cent. for the next two years and so on, there being added to the limit an increase of 25 per cent. for every subsequent two years during the period of the settlement.

19-I. *Classes of agricultural produce and prices with reference to which settlement may be declared to have been made.*—(1) The agricultural produce with reference to the prices of which the settlement rates may be declared to have been fixed under sub-section (2) of section 117M shall include all crops which are grown on an area not less than 20 per cent. of the total gross cropped area in the taluka or part of the taluka in respect of which the settlement is to be made and such other crops as Government may specify owing to their money value.

(2) The prices of the classes of agricultural produce with reference to which the settlement rates may be declared to have been fixed under sub-section (2) of section 117M shall be the average of the wholesale prices if available, otherwise the retail prices, as recorded in Form A-6 for the five years immediately preceding the year in which enquiry is made under rule 19-A and shall be expressed in rupees per maund. These average prices shall be called the settlement prices.

19-J. *Record of prices to be kept.*—(1) The Mamlatdar shall ascertain each month the wholesale prices (in terms of rupees per maund) and retail prices (in seers of 80 tolas per rupee) of the classes of agricultural produce, with reference to which a settlement may be declared to have been made under sub-section (2) of section 117M, prevailing at the taluka headquarters and record them in a register which shall be carefully maintained. He shall also show in such register the average prices during the period from January to September of each year.

(2) The prices recorded in such register shall be published in the *Official Gazette*.

19-K. *Scale for granting rebate or levying surcharge.*—(1) For the purpose of the grant of a rebate or the levy of a surcharge on the assessment in any area the percentage increase or decrease of the average prices prevailing in the period January

to September of any year over the settlement prices shall be multiplied by the number of units, each of 100 acres, under each crop specified in sub-rule (1) of rule 19-I in the revenue year commencing on 1st August of that year :

Provided that in the case of other crops specified by Government owing to their money value, as provided in rule 19-I the area actually under each such crop shall before such multiplication be increased by 50 per cent. The sum of these products shall be divided by the total number of units, each of 100 acres, and the result shal be taken to the total percentage increase or decrease according as the sum of the products is *plus* or *minus*.

Illustration :—

——	*Crops.*				Remarks.
	Jowari.	Bajri.	Cotton.	Wheat.	
1. Settlement prices	4	3	6	5	
2. Average prices January to September in rupees per maund.	3	2–8	6–12	5–8	
3. Percentage increase or decrease.	—25	–16·7	+12·5	+10	
4. Area in units of 100 acres each under each crop including weightage for money crops.	40	30	15+ 7·5 =22·5	10+5 =15	Wheat and Cotton are money crops and 50 per cent. is added to the area actually cultivated.
5. Product of 3 & 4	—1000	—501	+281·25	+150	

Sum of 5= —1069·75.

Divided by the total number of units= $\frac{1069 \cdot 75}{40+30+22 \cdot 5+15}$.

Total percentage decrease=9·9.

(2) No rebate shall be granted or surcharge levied if the total percentage decrease or increase as calculated in sub-rule (1) is below 20 or 25 per cent. respectively. When the total percentage decrease or increase is 20 or 25 per

cent. respectively or above, rebate shall be granted or surcharge levied, as the case may be, in accordance with the following scale :—

Decrease.	*Rebate.*
From 20 per cent. to below 33 1/3 per cent. ...	... 2 annas in a rupee.
From 33 1/3 per cent. to below 40 per cent. ...	... 3 annas in a rupee.
From 40 per cent. to below 50 per cent. ...	... 4 annas in a rupee.
From 50 per cent. to below 75 per cent. ...	... 6 annas in a rupee.
75 per cent. and over	... 8 annas in a rupee.
Increase.	*Surcharge.*
From 25 per cent. to below 33 1/3 per cent. ...	... 2 annas in a rupee.
From 33 1/3 per cent. to below 40 per cent. ...	... 3 annas in a rupee.
From 40 per cent. to below 66 2/3 per cent. ...	... 4 annas in a rupee.
From 66 2/3 per cent. to below 80 per cent. ...	... 6 annas in a rupee.
80 per cent. and over	... 8 annas in a rupee.

19-L. *Rebate or surcharge to be on actual demand for the year.*—The rebate shall be granted or surcharge levied on the actual demand due for collection during the year after allowing for the suspensions or remissions granted during the year on consideration of the annewari of crops in the village:

Provided that the surcharge levied in any year shll not be more than annas 4 in a rupee over the assessment including the sucharge levied in the previous year whatever the rise in prices may be.

Illustration.—If a surcharge of annas 2 a rupees was levied in the year 1943-44 and the prices to be considered for the year 1944-45 have risen by more than 80 per cent., the surcharge to be levied will not be annas 8 in the rupee but only annas 6 in the rupee, i.e., annas 4 in the rupee above the levy of the year 1943-44

19-M. *Assessment how to becalculated.*—All agricultural assessments (or judi) shall be calculated to the nearest pie at the rate (per acre or otherwise) sanctioned upon the area chargeable and rounded off in the following manner. When the assessment (or judi)—

(*a*) *does not exceed one rupee,* the nearest half anna shall be taken neglecting 3 pies and under and counting 4 pies and 5 pies as 6 pies, in case of all districts, except the Konkan and below-ghat talukas of Kanara where the nearest 3 pies shall be charged. For example, in the Thana, Kolaba and Ratnagiri districts and the below-ghat talukas of Kanara—

an assessment of Re. 0-10-4	shall be taken as Re. 0-10-3 ;
an assessment of Re. 0-10-5	shall be taken as Re. 0-10-6 ;
an assessment of Re. 0-0-2	shall be taken as Re. 0-0-3.

Elsewhere.

an assessment of Re. 0-8-3	shall be taken ans Re. 0-8-0 ;
an assessment of Re. 0-9-4	shall be taken as Re. 0-9-6.

(*b*) *exceeds one rupee,* the nearest anna shall be taken in all cases neglecting 6 pies and under and counting 7 to 11 pies as one anna, for example—

an assessment of Rs. 1-3-6	shall be taken as Rs. 1-3-0 ;
an assessment of Rs. 1-3-7	shall be taken as Rs. 1-4-0 :

Provided that—

(1) when the calculation results in the sum total of the new assessments (or judi) of all sub-divisions of a survey number being greater or less than the whole assessment (or judi) of that number, the difference shall be equitably distributed over the sub-divisions by deduction or addition in the largest shares, so as to make the total equal to the assessment (or judi) on the survey number;

(2) subject to proviso (1), the assessment of a sub-division shall in no case be less than a pie and every fraction of a pie shall be considered as one pie, the addition being counter balanced by deduction in the assessment of any of the other sub-divisions of the same survey number in an equitable manner;

(3) no new assessment (or judi) on a survey number or sub-division of a survey number shall be less than 3 pies in the Thana, Kolaba and Ratnagiri Districts, and in the below-ghat talukas of the Kanara District or less than 6 pies elsewhere, but this provision shall be subject to the condition that the total of the assessments of all the sub-divisions of a survey numbr shall not exceed the assessment (or judi) of that survey number. Where this condition cannot be fulfilled any assessment of less than 3 pies or 6 pies, as the case may be, may be retained subject to proviso (2).

CHAPTER IV.

Sub-Division of Survey Numbers.

20. *Notices to be issued.*—Before field operations a notice shall be issued by the Mamlatdar and posted in the village chavdi and proclaimed by beat of drum, stating that the sub-divisions of survey numbers in the village are about to be measured according as they have been divided by the holders, and daily notices shall be given as far as possible specifying the numbers or parts of numbers which are to be measured next day and warning landholders to be present.

21. *Boundries to be laid down.*—(1) When there is no dispute the boundary of each sub-division shall be laid down according to the statements of the holders.

(2) Where there is any dispute, the boundary to which the dispute relates shall be measured and mapped in accordance with the claims of both disputants, and the dispute entered in the register of disputed cases. After the dispute has been settled under sections 37 and 119-120, or Rule 108, as the case may be, the map shall be corrected accordingly and the areas finally entered into the land records.

22. *Fees.*—The fees to be recovered for making sub-divisions in cases to which section 135G(*b*) applies shall, unless the State Government in any case otherwise direct, be such as will cover the entire cost of measuring, assessing and mapping the sub-division; they shall be assessed by the Collector.

22-A. *Deleted.*

23. *Assessment.*—The proportionate assessment of sub-divisions to the land revenue settled upon the survey number shall be calculated subject to the proviso to section 117A (2) according to the relative classification value of the several parts of the survey number as directed in rule 10. Detailed instructions shall be prescribed by the Commissioner of Survey subject to the approval of the State Government, and may provide for the rounding off of fractions of annas.

CHAPTER V.

Boundary Marks.

24. *Details of boundary marks to be furnished by the Survey Department to the Collector.*—On the introduction of a Survey Settlement, the Superintendent of Survey shall furnish the Collector with a map and statements showing the position and description of the boundary marks erected or prescribed by or under the orders of the Commissioner of Survey. It shall be the duty of the Director of Land Records to amend these maps in accordance with any subsequent alteration of boundaries, in a revision survey or in the sub-division of a survey number or on any other authorised occasion.

25. The following boundary marks are authorized :—

Continuous marks—

(1) A boundary strip.

(2) Sarbandhs or hedges and other permanent continuous structures, such as walls.

Discontinuous marks—

(3) Conical earthen mounds or cairns (*buruz*) of loose stones.

(4) Pillars of cut stone, or brick or rubble-stones masonry.

(5) Prismatic or rectangular earthen mounds.

(6) Roughly dressed long stones.

(7) Any other marks found suitable for special localities and sanctioned by the Collector or Survey Officer, such as teak posts in the marine marshes on the Gujarat coasts.

26. *Maintenance of boundary strips.*—(1) Boundary strips or ridges shall not be ploughed up or otherwise injured by cultivation.

(2) The minimum width of boundary strips shall be as follows :—

(*a*) in dry crop lands	1½ feet.
(*b*) in rice and garden lands	9 inches.

Provided that—

(*i*) where the boundaries of such lands are well defined by banks, hedges, or the like, the actual width of the strip covered by such bank, hedge, or the like, shall be sufficient for the purpose of this rule ;

(*ii*) where the boundary of a survey number also forms the boundary of a Part B State or Foreign State, the minimum width prescribed above shall be maintained for the portion of the boundary strip on the side of the State of Bombay ; and

(*iii*) where village boundaries have been defined at the time of survey by double lines of boundary marks, the whole of the intermediate strip shall be maintained as a boundary strip.

27. *What boundary marks to be considered out of repair and how to be repaired.*—The following boundary marks shall be considered out of repair and shall be repaired in the manner prescribed for each kind as follows :—

(*a*) A continuous mark (strip, sarbandh, hedge, etc.), if it deviates more than three feet from the true straight line of the boundary. *Mode of repair*—either the deviation shall be rectified or the continuous mark not being a boundary strip must be replaced or supplemented by discontinuous marks.

(*b*) Any conical mound or cairn less than $2\frac{1}{3}$ feet in height and 6 feet in diameter at the base. *Mode of repair*—raise it to 3 feet in height and 6 feet in width at the base.

(*c*) Any rectangular mound less than 2 feet high, or less than 5 feet long and 4 feet wide at the base. *Mode of repair*—the mound shall be raised to full dimensions, that is $2\frac{1}{2}$ feet high, 6 feet long and 5 feet wide at the base.

(*d*) Any mound, conical or rectangular, within 4 feet of which earth has been dug for repairs, when such excavation has affected the stability of the mark or allows water to lodge. *Mode of repair*—the excavation shall be filled up.

(*e*) Any pillar (*i*) less than 1 foot square or $2\frac{1}{4}$ feet in depth, (*ii*) broken down, or (*iii*) rising less than 4 or more than 9 inches clear above the adjacent ground level. *Mode of repair*—(*i*) replace by one of proper dimensions, (*ii*) rebuild, (*iii*) raise the pillar or clear away or make up the ground.

(*f*) Any stone less than 2 feet long and 6 inches thick. *Mode of repair*—a stone of proper size shall be substituted.

(*g*) Any stone out of the ground, or buried less than two-thirds of its length and loose. *Mode of repair*—the stone shall be replaced or fixed firmly.

(*h*) Any mark considerably out of proper position or so repaired or erected as to indicate a materially incorrect line of boundary. *Mode of repair*—the mark shall be correctly placed.

(*i*) Any mark overgrown or surrounded by vegetation of any kind so as not to be easily visible. *Mode of repair*—the vegetation shall be cleared away until the mark is easily visible.

(*j*) Any sarbandh, or continuous embankment less than 2 feet high and 4 feet wide at the bottom. *Mode of repair*—the sarbandh shall be made full 2 feet high and 4 feet wise at the bottom throughout, unless the occupant prefers the substitution of authorized discontinuous marks.

(*k*) Any hedge or other continuous mark which by reason of want of continuity or disrepair fails to define the boundary. *Mode of repair*—the necessary renewals shall be made or other authorised marks substituted.

(*l*) Any boundary strip or ridge which has been ploughed up or otherwise obliterated or the dimensions of which are less than those prescribed by Rule 26. *Mode of repair*—the landholder shall be ordered to restore the strip or ridge within a prescribed period by leaving it unploughed and undisturbed ; on his failure to comply he may be prosecuted under section 125.

(*m*) Missing marks. *Mode of repair*—new marks shall be erected.

Proviso as to marks liable to injury from flooding.—Provided that in any case where a boundary mark cannot, owing to flooding of a nala, or river, the breaking away of the bank, or other causes, be kept in repair, another kind of authorised mark may be substituted. Where even that is impracticable the direction of the boundary must be fixed by a pair of discontinuous marks erected at an adequate distance back from the abandoned position ; either both on the same side, or one on each opposite side thereof.

28. *Determination of responsibility for maintenance.*—(1) The responsibility of the several landholders for boundary marks on a common boundary lies on the holder of the survey number which is numerically lowest.

(2) Sub-rule (1) is subject to the proviso that when any survey number is unoccupied or assigned for public or Government purposes the responsibility for repair of the marks on its periphery will pass to the landholder on the other side of the boundary. Repairs will be made at Government expenses only when the marks in disrepair lie between survey numbers each of which has no holder except the State Government.

(3) Within each survey number the holder or holders of each sub-division are responsible for the marks if any have been prescribed on the periphery of that sub-division to the same extent as they would be responsible if ' sub-division ' were read instead of ' survey number ' in sub-rules (1) and (2).

(4) A mark which is on the common boundary of two or more villages must be repaired by the holder of the land in the vil age which is under restoration when the marks are found out of repair.

CHAPTER VI.

Enquiries under section 37.

29. (1) *Notice of enquiry.*—(*a*) Before an enquiry under section 37 a written notice in form B of the proposed enquiry and of the time and place and subject-matter thereof shall be affixed not less than ten days before the enquiry at the chavdi or some other public place in the village in which the property is situate ; and in a conspicuous position upon the property with respect to which the inquiry will be held.

(*b*) A copy of the notice shall also be served not less than ten days before the enquiry on all persons who are known or believed to have made any claim to the subject-matter of the enquiry, and every such notice shall be served in the manner provided in section 190 for the service of a summons.

(2) *Notice of decision.*—(*a*) Written notice in form C of any order passed under section 37, specifying briefly the subject-matter, contents and date of the order passed, shal be served in the manner specified in clause (*b*) of sub-rule (1) upon the persons referred to in that clause.

(*b*) Such written notice shall also be affixed in the places specified in clause (*a*) of sub-rule (1).

CHAPTER VII.

The Disposal of Land Vesting in Government and Exemptions from Land Revenue.

30. (*a*) The right of Government to mines and mineral products which is reserved by section 69 shall not be disposed of without the sanction of the State Government, and in all grants of land the right to mines and mineral products and full liberty of access for the purpose of working and searching for the same shall be deemed to be reserved unless the State Government direct to the contrary and unless such right and liberty are expressly granted.

(*b*) No land situate within port limits shall be disposed of without the written concurrence of the Collector of Salt Revenue and without the reservation as to the tree-growth provided for in rule 58 (*d*).

(*c*) In all grants and disposals of land the right of occupation and use only subject to the provisions of the Code shall be granted: and not the proprietary right of Government in the soil itself.

31. Land may not be granted free of land revenue without the sanction of the State Government except as hereinafter provided.

Gifts of the possession and the revenue.

32. *Limits of revenue-free grants for different purposes.*—(1) Land may be given free of price and free of revenue, whether in perpetuity or for a term for any of the purposes mentioned below from which no profit is expected by the authorities and to the extent specified in this table:—

Purpose.	Estimated revenue-free value.	
	By the Commissioner.	By the Collector.
	Rs.	Rs.
(1) For sites for the construction at the cost of a local, municipal, or village fund or a fund of a sanitary committee or sanitary board of — (*a*) schools or colleges. (*b*) hospitals. (*c*) dispensaries, and (*d*) other public works	5,000	500
(2) For sites for the construction at the cost of a fund other than those specified in sub-clause (1) of any of the works referred to in sub-clause (1) above	500	50

. *Proviso as to land near railway stations.*—Provided that the land in the neighbourhood of railway stations shall not be granted for dharmashalas under head (2) in the table unless when erected they are to be in the charge of the Local Board, Municipality, Village Panchayat, Sanitary Committee, or Sanitary Board concerned.

Provided further that land shall not be given under this rule for any of the purposes mentioned in rule 32-A.

(2) Such gifts shall ordinarily be made in form D.

32-A. Land may be leased at a nominal rent of Re. 1 a year for playgrounds or other recreational purposes to educational institutions or local bodies or for Gymnasiums recognised by Government for a term not exceeding fifteen years by the Collector when the revenue-free value of the land does not exceed Rs. 500 and by the Commissioner when the revenue-free value of the land does not exceed Rs. 5,000.

Such leases shall ordinarily be executed in form DD. The Commissioner or the Collector with the approval of the Commissioner, as the case may be, may make such variations in the conditions of the lease or annex such additional conditions as he may deem necessary.

33. When it is clear that such a sale is preferable to any other course on grounds of obvious convenience to Government no less than to the parties concerned, any land wherever situated of which the estimated revenue-free value does not exceed rupees one hundred may be sold revenue-free by the Collector to a private person for a private purpose.

Gifts of the possession only.

34. *Grants in the Dharwar District to shetsanadis for remuneration.*—(1) In the district of Dharwar whenever unoccupied land is available for the purpose, the Collector may give such land to any shetsanadi who is willing to accept remission at the rate of one rupee of the assessment in exchange for two rupees of the usual annual cash remuneration :

Provided that no such land shall be given if the estimated occupancy value thereof exceeds five hundred rupees.

(2) Where a grant is made under this rule no sanad need be issued to the grantee, but it is to be a condition of his tenure that the land is granted revenue-free to the agreed extent only in consideration of the shetsanadi's service, and that it is resumable at the pleasure of the State Government.

Gift of the revenue only.

35. (1) The Collector may exempt from payment of land revenue without any limit lands used for sites of hospitals, dispensaries, schools and for other public purposes, so long as such lands are used for such purposes and yield no profit to private individuals or local bodies.

(2) Lands used for sites of buildings solely devoted to charitable purposes may be exempted from payment of land revenue by the authorities and to the extent specified below, so long as such lands are used for such purposes and yield no profit to private individuals or local bodies :—

By the Collector—upto an annual amount of Rs. 10.

By the Commissioner—upto an annual amount of Rs. 50.

(3) Such exemptions shall ordinarily be made in form E.

(4) Exemptions from payment of land revenue granted before 6th October 1937 in respect of any land used for or dedicated to religious purposes shall remain in force for the period specified in the grant and may thereafter be continued in whole or in part, according to the discretion of the Collector.

Conditions attached to grants under foregoing rules.

36. *Conditions attached to grants under rules 32, 34 or 35.*—(1) Every grant under rule 32 or 34 shall be made expressly on the following conditions in addition to any others that may be prescribed in particular cases, namely:—

(*a*) That the land with all fixtures and structures thereon shall be liable to be resumed by the State Government if not used for the specific purpose or purposes for which it is granted by such date as the Collector may fix in this behalf or if used for any purpose other than the specific purpose or purposes for which it is granted, or if required by the State Government for any public purpose, and that a declaration under the signature of the Commissioner that the land is so required shall, as between the grantee and the State Government, be conclusive;

(*b*) that, if the land is at any time resumed by the State Government under condition (*a*), the compensation payable therefor shall not exceed the amount (if any) paid to the State Government for the grant, together with the cost or value at the time of resumption, whichever is less, of any building or other works authorizedly erected or executed on the land by the grantee.

(2) Where exemption from revenue is granted under rule 35 on land already occupied by the grantee, the following condition shall be imposed, in addition to any others that may be settled in particular cases, namely, that, if the Collector is satisfied that the land is used for any purpose other than the specific purpose or purposes for which exemption is granted, or yields profit to the grantee, it shall, in addition to the assessment to which it becomes liable under section 48, become liable to such fine as may be fixed in this behalf by the Collector under the provisions of section 66, as if the land having been assessed or held for the purpose of agriculture only had been unauthorizedly used for any purpose unconnected with agriculture.

Grant of land for agricultural purposes.

37. *Survey numbers how to be disposed of.*—(1) Any unoccupied survey number not assigned for any special purpose may, at the Collector's discretion, be granted for agricultural purposes to such person as the Collector deems fit, either upon payment of a price fixed by the Collector, or without charge, or may be put up to public auction and sold subject to his confirmation to the highest bidder.

(2) In the case of such grants an agreement in Form F shall ordinarily be taken from the person intending to become the occupant.

(3) When the land is granted on inalienable tenure the clause specified in Form I shall be added to the agreement.

(4) When the land is granted on impartible tenure an agreement in Form F (1), and, when it is also granted on inalienable tenure, an agreement in Form I (1), shall ordinarily be taken from the person intending to become the occupant.

(5) The declaration below the agreement shall be subscribed by at least one respectable witness and by the patel and village accountant of the village in which the land is situate.

38. *Survey number not already assessed to be assessed before it is disposed of:*—Where any survey number disposed of under rule 37 has not already been assessed, it shall be assessed by the Collector (after reference to the Superintendent of Land

Records) at the rates placed on similar soils in the same or neighbouring villages; and the assessment so fixed shal hold good for the period for which the current settlement for the v llage in which the land is s tuated has been guaranteed, and shall be liable thereafter to revision at every general settlement of the said village.

39. *Where survey numbers may be given at reduced assessment.*—Where it appears that the bring ng of any survey number under cultivation or its reclamation for other purposes will be attended with large expense, or where for other special reasons it seems desirable, it shall be lawful for the Collector (with the previous sanction of the Commissioner, in cases where *the assessment* on the and included in the total grant exceeds one hundred rupees) to grant the survey number revenue-free or at a reduced assessment for a certain term, or revenue-free for a certain term and at a reduced assessment for a further term, and to annex such special conditions as the outlay or other reasons aforesaid may seem to him to warrant, and to cancel the grant or levy full assessment on breach of these conditions :

Provided that, on the expiry of the said term or terms, the survey number shall be iable to full assessment under the rules then in force for lands to which a settlement for agricultural use has been extended or which are assessed for other uses.

(2) Form GI may generally be used in cases under this rule.

40. *Grants of salt-marsh lands for reclamations.*—Salt land or land occasionally overflowed by salt-water, which is not required or l kely to be required for salt manufacture, may, after consultation with the Commissioner of Salt, be leased for purposes of reclamation by the Co lector, on the following maximum terms, and with such modifications in particular cases as may be deemed fit :—

(*a*) no rent shall be charged for the first ten years ;

(*b*) rent at the rate of four annas per acre shall be levied for the next twenty years on the whole area leased, whether reclaimed or not ;

(*c*) after the expiry of 30 years the lease shall be continued in the case of reclaimed lands at the rate at which they would be assessed to land revenue from time to time if they were subjected to survey settlement ; and in the case of unreclaimed lands, if any, at the average rate of the reclaimed lands ;

(*d*) any portion of the land used for public roads shal. be exempt from the payment of rent ;

(*e*) if the reclamation is not carried on with due diligence within two years, or if half the area is not reclaimed so as to be in a state fit for use for agricultural purposes at the end of ten years, and the whole at the end of twenty years, or if any land once reclaimed as aforesaid is not maintained in a state fit for use for agricultural purposes, the lease shall be liable to cancellation at the discretion of the Collector :

Provided that the lessee shall be at liberty during the first ten years to relinquish any area which he cannot rec aim.

(*f*) if the land reclaimed is used for any non-agricultural purpose, its rent shall be liable to be revised according to the rates under whichever of rules 81 to 85 has been applied to the locality notwithstanding that any of the periods specified above may not have expired ;

(*g*) Form G2 may generally be used in cases under this rule.

41. *Land in beds of river.*—Land situated in the bed of a river and not included in a survey number shall, save as otherwise provided in sections 46 and 64, ordinarily be leased annually by auction to the highest bidder for the term of one year or such

further period as the Collector thinks fit. The accepted bid shall be deemed to be the land revenue chargeable on such land.

Grant of land for non-agricultural purposes.

42. *Disposal of land for building and other purposes.*—Unoccupied land required or suitable for building sites or other non-agricultural purpose shall ordinarily be sold after being laid out in suitable plots by auction to the highest bidder whenever the Collector is of opinion that there is a demand for land for any such purpose; but the Collector may, in his discretion, dispose of such land by private arrangement, either upon payment of a price fixed by him, or without charge, as he deems fit.

43. *Conditions of grants for building.*—(1) Save in special cases in which the Collector with the sanction of the State Government otherwise directs, or in localities falling under rule 44, land for building sites shall be granted in accordance with the following provisions :—

(*a*) The land shall be granted in perpetuity subject to the provisions of the first paragraph of section 68, and shall be transferable.

(*b*) Where the land has already been assessed for agriculture, the assessment shall be altered under whichever of rules 81 to 85 has been applied to the locality.

(*c*) Where the land has not been assessed the Collector shall fix the assessment in accordance with the principles laid down for alteration of assessment in rules 81 to 86 and the provisions of the said rules shall as far as may be, apply.

(*d*) All such assessments shall be fixed for the period specified in Rule 87 (*a*) and may be commuted when they do not exceed one rupee in accordance with the provisions of rule 88.

(2) In the case of such grants an agreement in Form F or Form H, as the Collector may deem fit, shall ordinarily be taken from the person intending to become an occupant, and in the case of land in development schemes undertaken by the State Government in any district or, in special cases, an agreement in Form HH shall be taken. In the case of grants in which an agreement in Form H or Form HH is to be taken, the Collector may, subject to any general or special orders of the Commissioner, annex such additional conditions to, or omit, or vary such of the conditions in the agreement as he thinks fit.

(3) When the land is granted on inalienable tenure, the clause specified in Form I shall be added to the agreement.

(4) The declaration below the agreement shall be subscribed by at least one respectable witness and by the patel and village accountant of the village in which the land is situate.

43-A. *Terms on which land intended for future building sites may be temporarily disposed of.*—Unoccupied lands which are eventually intended for building sites within the Bombay Suburban District or any other area, to which the State Government may by notification in the *Bombay Government Gazette*, extend this rule but of which the immediate disposal for the said purpose appears to the Collector to be undesirable, may be let under written leases in a form approved by the State Government for short terms not exceeding in any case seven years at a ground rent equal to double the standard rate of non-agricultural assessment in force in the locality, or at a ground rent which may in special cases or localities be fixed with the sanction of the Commissioner.

43-B. *Disposal of small strips of land adjacent to occupied unalienated building sites.*—When any small strip of land vesting in Government adjacent to an occupied unalienated building site cannot reasonably be disposed of as a separate site, the Collector may, notwithstanding anything to the contrary contained in any of the rules in this Chapter, grant such strip to the holder of the said site on the same tenure on which he holds the said site if he agrees to pay—

(*a*) assessment or rent, as the case may be, for such strip of land at the same rate, if any, at which he pays assessment or rent for the said site, and

(*b*) such price or premium as the Collector deems adequate having regard to the situation of such strip and any other advantages which are likely to accrue to the holder on account of its disposal to him.

44. *In hill stations.*—In hill stations and such other localities as the State Government may direct land shall not be granted for building except on such conditions as are considered desirable regarding the style of building, the period for construction and the observance of municipal or sanitary regulations. Such conditions should be embodied in the instrument (Form H).

45. *Establishment of entirely new village site.*—Where an entirely new village site is established, or an addition is made to an existing site, the disposal of the lots therein shall be made under such of the rules 42, 43, 43-B or 44 as may be applicable.

46. *Substitution of a new village site for an old one.*—Where a new village site is established, in lieu of a former one which it is determined for any reason to abandon, an agreement shall be taken in Form J, from each occupant before he is permitted under section 60 to enter into the occupation of any lot.

47. *Conditions of grant of land for non-agricultural purposes and alteration of assessment.*—Where unoccupied land is granted for non-agricultural purposes the Collector shall annex such conditions to the grant as may be directed by the State Government or, in the absence of any order of the State Government, may annex such conditions thereto as he thinks fit, subject to the control of the Commissioner; and where the land has already been assessed for the purpose of agriculture, the assessment of such land shall, in the absence of any order of the State Government to the contrary, be altered in accordance with the provisions of rules 81 to 85. Where it has not been assessed, its assessment shall be fixed by the Collector, as far as may be in accordance with the principles laid down for alteration of assessment in the said rules.

47-A. (1) The Collector may permit the construction or retention of a balcony or any other aerial projection over Government land on payment of an annual sum not exceeding $2\frac{1}{2}$ per cent. of the value of the land below the balcony or other aerial projection, as the case may be, subject to a minimum of 2 annas.

(2) The annual payment shall be revised at intervals of not less than 30 years.

(3) A licence in Form JJ shall ordinarily be given for such purposes, subject to such additional conditions as the Collector may with the previous sanction of the Commissioner, deem fit to impose.

Special Rules for Certain City Surveyed Areas.

48. *Special rules for sites of Ahmedabad, Broach, Surat, Rander, Bulsar and Godhra, and certain other places.*—Except as may be otherwise specially directed by the State Government, nothing in rules 37 to 43-A and 44 to 47, both inclusive, shall be

applicable to the grant of any lands to which a City Survey has been extended, under Bombay Act IV of 1868 or under section 131 and which do not vest in the municipality, within the sites of the towns and cities of Ahmedabad (inclusive of its suburbs of Saraspur, Dariapur, Kajipur, Rajpur, Hirpur, Asarwa, Kochrab, Chhadavad, Changispur and Paldi, Broach, Surat, Rander, Bulsar, Godhra, Igatpuri, Bandra-Danda) or of any other town or city to which the State Government may by notification in the Official *Gazette* extend this rule : and nothing in rules 81 to 85 shall apply to any agricultural land lying within the same sites, but to which a City Survey cannot by law extend.

The granting of such lands for building sites, and the granting of permission to use such lands (when assessed for agricultural use) for non-agricultural purposes, shall be regulated by rules 43-B and 50 to 52.

49. *Deleted.*

50. *Mode in which other lands may be disposed of.*—(1) Any unoccupied land to which rule 43-B does not apply and which is not assigned for special purposes may be granted to such person as the Collector deems fit either for purposes of agriculture only or for other purposes.

Lands to be ordinarily sold by auction.—(2) Any such land shall ordinarily be sold by auction to the highest bidder ; but the Collector may in his discretion sell the same by private agreement.

51. *Terms on which building sites may be disposed of.*—(1) Unoccupied land shall be granted for building sites and permission under section 65 to use for non-agricultural purposes lands occupied and assessed for agriculture shall be given by an instrument in a form approved by the State Government, for terms expiring on the date fixed in this behalf by the State Government for each city or town, at a rent or altered assessment, as the case may be, of two pies per square yard per annum, or such higher rate as the Collector may, with the previous approval of the Commissioner fix for any particular site or portion thereof.

Terms on which land intended for future building sites may be temporarily disposed of.—(2) (*a*) Unoccupied lands which are eventually intended for building sites, but of which the immediate disposal for the said purpose appears to the Collector to be undesirable, may be let under written leases in a form approved by the State Government for short terms not exceeding in any case seven years at a ground rent of not less than one anna per square yard per annum.

(*b*) Unoccupied lands under clause (*a*) shall ordinarily, subject to the provisions of the said clause, be let by auction to the highest bidder ; but the Collector may in his discretion let any such land by private agreement.

(3) Notwithstanding anything contained in sub-rule (1) of this rule, lands occupied and assessed for agriculture may, be permitted under an instrument in Form JJJ, to be used for non-agricultural purposes, other than building, for short terms not exceeding seven years at an altered assessment of two pies per square yard per annum, or such higher rate as the Collector may, with the previous approval of the Commissioner, fix for any particular site or portion thereof.

52. *Terms on which lands may be disposed of for agricultural purposes only.*—Unoccupied lands may be leased for purposes of agriculture for terms of one yean An agreement in form F, with such modification, as may be necessary, shall be taker. from every person who is to become as occupant of land under this rule, and the provisions of sub-rules (2) to (4), inclusive, of rule 37 shall be applicable to every agreement so taken.

Property in municipal districts or boroughs specially reserved by the State Government within the meaning of section 50 (2) of the Bombay District Municipal Act 1901 or section 63 (2) of the Bombay Municipal Boroughs Act, 1925.

53. *Unoccupied building sites, etc., within municipal limits to be distinguished from lands forming part of public streets.*—In municipal districts or boroughs, building sites and plots of open ground, which have not been dedicated to public use or already transferred to the municipality, are hereby declared to be specially reserved by the State Government within the meaning of sub-section (2) of section 50 of the Bombay District Municipal Act, 1901 or sub-section (2) of section 63 of the Bombay Municipal Boroughs Act, 1925, as the case may be.

This reservation does not apply to small pieces of ground lying between the houses and the road-way in an irregular street or road of varying width, which should be recognized as forming part of the street and vesting in the municipality unless private individuals have rights thereto. But separate vacant sites between houses do not vest in the municipality even though they are unenclosed unless they have been transferred to the municipality by the State Government.

Both for agricultural and non-agricultural grants.

54. *Form of written permission to occupy under section 60.*—The permission in writing to be given by a Mamlatdar under section 60 to enable an intending occupant to enter upon occupation shall be in Form K, or Form KK.

Disposal of Hadi lands in the North Kanara District.

54A. *Hadi lands.*—(1) Hadi lands are lands in the district of Kanara assigned for use by and leased to the holders of lands on which spice or cocoanut gardens or rice crops are grown.

(2) A Hadi land shall not be leased except to the holder of the land in respect of which it is assigned.

(3) *Terms and conditions of the grant.*—Every lease of a Hadi land shall be made subject to the following terms and conditions, namely :—

(*a*) The person to whom a Hadi land is leased, hereinafter referred to as 'the wahivatdar', shall execute an agreement in the appended form.

(*b*) On the wahivatdar ceasing to be the holder of the land in respect of which the Hadi land is assigned, (hereinafter referred to as 'such land'), the lease of such land shall terminate and the wahivatdar shall cease to be entitled to any rights in respect of such land.

(*c*) The wahivatdar shall not cut, remove, lop or damage in any way any teak, sandalwood, black-wood or ebony trees or sapling thereof growing on such land. He shall not knowingly or wilfully permit or abet the cutting, removing, lopping or damaging of any such tree or sapling thereof by any other person. He shall forthwith report to the nearest revenue or forest officer any damage to, or loss of, any such tree or sapling thereof.

(*d*) He shall not, except with the previous permission of the Mamlatdar, fell any of the living trees mentioned in the Schedule to this rule. Such permission may be granted by the Mamlatdar on an application made to him and on payment

of Re. 1 per tree to the be felled, if the Mamlatdar is satisfied that the wood is required by the wahivatdar for his own use, either for an agricultural purpose or for the construction or repair of his house situated in or near such land.

(*e*) The wahivatdar shall pay the assessment of such land.

(*f*) The wahivatdar shall provide at his own expense flag holders and coolies at the time of measurement and classification of such land and shall erect or repair all necessary boundary marks of such land.

(*g*) The wahivatdar shall not be entitled to sell or transfer his interest in such land to any other person.

(*h*) If the Collector is at any time of the opinion that the rights conferred by this rule have been or are being abused, he may, subject to the general control of the Commissioner, suspend the exercise of all or any of the said rights or may permit their exercise on payment of such fees as may be fixed by him in this behalf.

(*i*) The Collector may at any time, subject to the sanction of the State Government, determine the lease and take possession of the land or any part of it if it is required for any public purpose. In such case, the Collector shall award to the wahivatdar compensation in respect of reasonable expenses, if any, incurred by him in erecting wall on such land. No compensation shall be payable in respect of the land itself. The decision of the Collector as regards the amount of compensation payable shall be final. For the purposes of this rule a declaration under the signature of the Collector that the land is required for a public purpose shall be conclusive.

(*j*) On breach of any of the conditions of the lease, the Collector may determine the lease and resume possession of the land.

(4) *Rights to be exercised.*—The wahivatdar of a Hadi land may, subject to the provisions of this rule, exercise the following rights only in respect of such land, namely :—

(*a*) He may cut grass growing on such land for his own use.

(*b*) He may clear or break up such land for the purpose of building cattle sheds or temporary huts, sinking wells, digging water channels, clearing paths, erecting threshing floors or sugar cane mills, storing grass, straw, grain, betelnuts or manure, or growing young plants in a nursery.

(*c*) He may burn undergrowth and lantana on such land provided that due care is taken to prevent the fire spreading to adjoining forests, if any.

(*d*) He may remove clay, earth and stones for his own use but not for the purposes of manufacture, sale or barter.

(*e*) He may remove flowers, fruits, leaves, thorns, fallen dead wood, honey and wax, for his own use but not for the purposes of manufacture, sale or barter.

(*f*) He may graze his cattle on such land.

(*g*) He may lop small sap shoots which do not grow into branches during the rainy season.

(*h*) He may lop trees and shrubs for preparing manure.

Schedule.

1. Balghe, Vitex altissima.
2. Karimutal, Ougenia dalbergioides.
3. Shiwani, Gmelina arborea.
4. Hirda, Terminalia chebula.
5. Honni, Pterocarpus marsupium.
6. Jhall, Shorea talura.
7. Matti, Terminalia tomentosa.
8. Nandi (Nana), Lagerstroema microcarpa.
9. Phansas, Artoarpus integrifolia.
10. Wonte, Artocarpus lakoocha.
11. Bokli or Nanja, Mimusops elengi.
12. Heddi, Adina cordifolia.
13. Sagdi, Schleichera trijuga.
14. God Hunshi, Albizzia odoratissima.
15. Holi Matti, Terminalia arjuna.
16. Sampige, Flacourtia montana.
17. Haiga or Kabsi, Hopea wightiana.
18. Manjuti, Adenanthera pavonina.
19. Surhonni, Calophyllum tomentosum.
20. Hebbalsu or Patmbanas, Artocarpus hirsuta.
21. Jambe, Xylia Xylocarpa.
22. Mashi or phudgus, Alseodaphne semicarpifolia.
23. Kavanchi, Bridelia retusa.
24. Kalam, Stephergvne parvifolia.
25. Sir s, Albizzia lebbek.
26. Belati, Albizz a procera.
27. Kharsing or Gensu, Stereospermum xylocarpum.
28. Hongal or Kibul, Terminalia paniculata.
29. Dadsal, Grewia tiliaefolia.
30. Dindal, Anogeissus latifolia.
31. Womb, Saccopetalum tomentosum.
32. Devdar lal, Chikrassia tabularis.
33. Devdar pandra, Cedrela toona.
34. Mhowra, Bassia latifolia.
35. Moha or Ippi, Bassia longifolia.
36. Bobbi or Irai, Calophyllum wightianum.

AGREEMENT.

An agreement made this day of one thousand nine hundred and forty- between the Governor of Bombay (hereinafter referred to as " the Government ") of the one part and inhabitant of Taluka District (hereinafter referred to as " the wahivatdar " which expression shall include his heirs, executors, administrators and assigns)of the other part ;

Whereas the wahivatdar has applied to the Government of Bombay (hereinafter referred to as " the Government ") that the permission may be granted to him for occupation of the Hadi land comprised in survey No. , area assessment attached to survey Nos. in the village of in the taluka of (hereinafter referred to as " the said Hadi land ") and that his name be entered in the Government records as the wahivatdar of the said Hadi land ;

And whereas permission has been granted by the Government to the wahivatdar to occupy the said Hadi land subject to the terms and conditions hereinafter mentioned.

It is hereby agreed as follows :—

(*a*) The wahivatdar shall pay the assessment of the said Hadi land fixed from time to time and the local fund cess.

(*b*) The wahivatdar shall not permit the said Hadi land to be occupied by any person other than the holder of the land to which it is assigned.

(*c*) On the wahivatdar ceasing to be the holder of the land in respect of which the Hadi land is assigned, the occupancy of the said Hadi land shall terminate and the wahivatdar shall cease to be entitled to any rights in respect of the said Hadi land.

(*d*) The wahivatdar shall not cut, remove, lop or damage in any way any teak, sandalwood, blackwood or ebony trees or sapling thereof growing on the said Hadi land. He shall not knowingly or w lfully permit or abet the cutting, removing, lopping or damaging of any such trees or sapling thereof by any other person. He shall forthwith report to the nearest revenue or forest officer any damage to, or loss of, any such tree or sapling thereof.

(*e*) The wahivatdar shall not, except with the previous permission of the Mamlatdar of (hereinafter referred to as "the Mamlatdar") fell any of the living trees mentioned in the Schedule to this agreement. Such permission may be granted by the Mamlatdar on an application made to him and on payment of Re. 1 per tree to be felled, if the Mamlatdar is satisfied that the wood is required by the wahivatdar for his own use, either for an agricultural purpose or for the construction or repair of his house situated in or near the said land.

(*f*) The wahivatdar shall provide at his own expense flag holders and coolies at the time of measurement and classification of the said Hadi land and shall erect, maintain or repair all necessary boundary marks of the said Hadi land.

(*g*) The wahivatdar shall not be entitled to sell or transfer his interest in the said Hadi land to any other person.

(*h*) The Collector of (hereinafter referred to as "the Collector") may at any time, subject to the sanction of the Government, determine the occupancy and take possession of the said Hadi and or any part of it if it is required for any public purpose. In such case, the Collector shall award to the wahivatdar compensation in respect of reasonable expenses, if any, incurred by him in sinking a well on the said Hadi land. No compensation shall be payable in respect of the land itself. The decision of the Collector as regards the amount of compensation payable shall be final. A declaration under the signature of the Collector that the land is required for a publ.c purpose shall be conclusive.

(*i*) The wahivatdar shall surrender the said Hadi land to the Government in case the garden or the other land to which it is assigned is sold away or in any way disposed of to any other person or is relinquished or possession thereof is otherwise transferred by him.

(*j*) On breach of any of the conditions of this Agreement, the Collector may determine the occupany and resume possession of the said Hadi land.

(*k*) Subject to the provisions of this Agreement the wahivatdar is entitled to the following rights in respect of the said Hadi land and no other, namely :—

(i) He may cut grass growing on the said Hadi land for his own use.

(ii) He may clear or break up the said Hadi land for the purpose of building cattle sheds or temporary huts, sinking wells, digging water channels, clearing paths, erecting threshing floors or sugar cane mills, storing grass, straw, grain, bettelnuts or manure, or growing young plants in a nursery. He may erect a wall round the said Hadi land for the proper protection of trees in it.

(iii) He may burn undergrowth lantana on the said Hadi land provided that due care is taken to prevent the fire spreading to adjoining forests, if any.

(iv) He may remove clay, earth and stones for his own use but not for the purposes of manufacture, sale or barter.

(v) He may remove flowers, fruits, leaves, thorns, fallen dead wood, honey and wax, for his own use but not for the purposes of manufacture, sale or barter.

(vi) He may graze his cattle on the said Hadi land.

(vii) He may lop small sap shoots which do not grow into branches during the rainy season.

(viii) He may lop trees and shrubs for preparing manure.

(*l*) If the Collector is at any time of the opinion that the rights conferred by this Agreement have been or are being abused by the wahivatdar, he may, subject to the general control of the Commissioner, Division, suspend the exercise of all or any of the said rights or may permit their exercise on payment of such fees as may be fixed by him in this behalf.

(*m*) At the determination of the said occupancy the wahivatdar shall quietly deliver up to the Collector on behalf of the Government the said Hadi land.

(*n*) The wahivatdar shall observe all the rules made by the Government of Bombay from time to time in respect of Hadi lands in the Kanara District.

Schedule.

1. Balghe, Vitex altissima.
2. Kar mutal, Ougenia dalbergioides.
3. Shiwani, Gmelina arborea.
4. Hirda, Terminalia chebula.
5. Honni, Pterocarpus marsupium.
6. Jhall, Shorea talura.
7. Matti, Terminalia tomentosa.
8. Nandi (Nana), Lagerstroema microcarpa.
9. Phansas, Artoarpus integrifolia.
10. Wonte, Artocarpus lakoocha.
11. Bokli or Nanja, Mimusops elengi.
12. Hedd , Adina cordifolia.
13. Sagdi, Schleichera trijuga.
14. God Hanshi, Albizzia odoratissima.
15. Holi Matti, Terminalia arjuna.
16. Sampige, Flacourtia montana.

17. Haiga or Kabsi, Aopea wightiana.
18. Manjuti, Adenanthera pavonina.
19. Surhonni, Calophyllum tomentosum.
20. Hebbalsu or Patphanas, Artocarpus hirsuta.
21. Jamba, Xylia Xylocarpa.
22. Mashi or phudgus, Alseodaphne semicarpifolia
23. Kavanchi, Bridelia retusa.
24. Kalam, Stephergyne parvifolia.
25. Siris, Albizzia lebbek.
26. Belati, Albizzia procera.
27. Kharsing or Gensu, Stereospermum xylocarpum.
28. Hongal or Kibul, Terminal a paniculata.
29. Dadsal, Grewia til aefolia.
30. Dindal Anogeissus latifolia.
31. Womb, Saccopetalum tomentosum.
32. Devdarlal, Chikrassia tabularis.
33. Devdar pandra, Cedrela toona.
34. Mhowra, Bassia latifolia.
35. Moha or Ippi, Bassia longifolia.
36. Bobbi or Irai, Calophyllum wight anum.

In witness whereof the Collector of hath on behalf of the Governor of Bombay set his hand and the seal of his office and the (wahivatdar) has also hereunto set his hand the day and year first above written.

Signed, sealed and delivered by
Collector of in the presence of

1.

2.

Seal.

Signed and delivered by the abovenamed wahivatdar
in the presence of

1.

2.

Exceptional Cases.

55. *Disposal of land to which foregoing rules are inapplicable.*—Unalienated land to which none of the foregoing rules is applicable and concerning which no other rules have been framed by the State Government, shall be disposed of in such manner, for such period and subject to such special conditions, if any, as the Collector, subject to the control of the Commissioner, deems fit.

56. *Special forms.*—The forms appended to these rules shall be used where applicable, but where a grant is made on special terms and none of such forms is suitable and a special form has not been sanctioned, the orders of the State Government shall be obtained regarding the form to be used.

57. *Records.*—The document evidencing a grant shall be drawn in duplicate and one copy, which shall be retained by the Government Officer concerned or by the State Government, shall be signed by the grantee.

CHAPTER VIII.

Trees and Forest Rights.

58. *General reservations.*—The extent to which the right of Government to trees is generally conceded to occupants under the third paragraph of section 40 shall be specified in the notification issued under rule 17. The said general concession will ordinarily extend to all trees, except the following :—

(*a*) all road-side trees planted by or under the orders of Government ;

(*b*) teak, blackwood, and sandalwood ;

(*c*) trees, the produce of which has hitherto been disposed of by the State Government :

Provided that whenever any land is disposed of after the first introduction of a settlement of land revenue, such trees shall also be disposed of under section 62 ;

(*d*) any trees specially reserved in the terms of the grant of the land.

59. *Special reservations.*—Trees in groves, trees round temples or places of encampment declared to be such by the Collector, and trees other than teak, blackwood or sandalwood, which for any reason are of special value or utility, shall be specially reserved at the settlement and entries to that effect made in the settlement records.

60. *Disposal of trees on occupied lands.*—(1) Subject to the provisions of rule 63 the disposal of trees on land occupied or being given out for occupation shall be regulated by the following sub-rules :—

(2) Of the trees to which the rights of Government are reserved, such number or kinds as the State Government may from time to time direct will be at the disposal of the Forest Department. Lists shall be kept for all occupied numbers, over the trees in which the Forest Department has any control or lien ; the clearing of these numbers by the Forest Department shall be arranged in concert with the Collector, and every number when cleared shall be recorded as exempt from all interference in the future on the part of the Forest Department. In districts, where there is no Forest Officer, these functions will be discharged by the Collector alone.

(3) All other reserved trees shall be in charge of the Collector who may dispose of the same or of their produce as he may deem fit, subject to the general rules for the disposal of Government property.

(4) In talukas in which the demarcation of forests has been completed, when any unoccupied land containing jungle or valuable trees which have not been included in any forest reserve is granted to any person for cultivation the Collector may offer the trees, or such of the trees as he may see fit, to the occupant. If such person agrees to purchase the same, the value shall be recovered from him by the Collector and credited as land revenue. If the occupant refuses to buy under this sub-rule or sub-rule (3) then the Forest Department should clear the land of trees.

(5) In talukas in which the demarcation of forest reserves has not been completed, the Collector may, if he thinks fit, consult the Conservator of Forests before any land containing jungle or valuable trees is granted ; and if any such land is granted to any person the provisions of sub-rule (4) shall apply ; in no case shall land be granted which is likely to be required for forests.

61. Whenever the right to unreserved trees in any land is at the disposal of the State Government simultaneously with such land all such trees shall invariably be disposed of to the same person who acquires the holding and not to any other person.

62. When the right of Government to the trees in a holding has been once disposed of to the occupant, or when all the reserved trees have been once cut and removed either—

(*a*) at the grant of the land, or

(*b*) after such grant, or

(*c*) within five years before such grant, Government will have no further claim to trees which may afterwards grow in the holding, or which may spring up from the old roots or stumps, so long as the land continues in occupation.

63. *Exception of reserved trees in varkas and beta lands in certain districts from rules 60 62.*—(1) Nothing in rules 60 to 62 inclusive shall be deemed to apply to varkas lands in the districts of Thana, Kolaba and Ratnagiri, and beta lands in the district of Kanara, or to any land in the dindori Taluka or the Peth Taluka of the Nasik District or to any land on the banks of streams and nalas in the Godhra Taluka of the Panch Mahals District, or to any riverside jambul trees growing in occupied lands on the banks of the rivers Mula, Pravara, Mhais and Mhalungi in the Parner, Rahuri, Sangamner and Akola Talukas of the Ahmednagar District; or (pending the completion of the acquisition of all occupied lands within the sanctioned demarcation limits of the forest in the Haveli, Purandhar and Junnar Talukas and the Ambegaon Peta of Poona District) and the Patan, Karad and Wai Talukas and the Shirala Peta of the Satara District to any teak trees in such unalienated and.

(2) In the said lands the trees on which the rights of Government are reserved shall be available for cuttings to be made from time to time by or under the orders of the Forest Department, in consultation with the Collector.

(3) The sale of any such tree or of the timber thereof will confer no right to the after-growth from the root or stump of the tree so cut. The reservation of the rights of Government over the trees will extend to all such after-growth also.

CHAPTER IX.

Disposal of Grazing and Minor Products of Land.

64. *Sale of produce of Government trees.*—(1) The produce of Government trees may be sold by auction annually or for a period of years.

(2) Where any such trees are sold under section 41, the sale shall be by auction or otherwise as the Collector may direct.

65. *Grazing and other similar produce to be ordinarily disposed of by sale for periods not exceeding five years.*—(1) The grazing or other produce of all unoccupied land vesting in Government whether a survey settlement extends to such land or not, and whether the same is assessed or not and of all land specially reserved for grass or for grazing (except land assigned to villages for free pasturage), may be sold by

public auction or otherwise, as the Collector deems fit, year by year, or for any term not exceeding five years, either field by field or in tracts, and at such time as the Collector shall determine.

Provided that the purchasers' rights over such land shall entirely cease on the dates respectively fixed in the following table, unless, under special circumstances, the Collector deems it necessary to alter the time so fixed :—

Collectorates	Waste assessed Dry-crop Land	Waste assessed Rice Land	Reserved Kurans and unassessed Waste
Thana	31st March ...	31st March ...	31st December.
Dharwar	31st March ...	31st December	1st May.
All others	31st March ...	31st March ...	1st May.

66. *Disposal of earth, stone, etc., by the Collector.*—(1) The Collector may, at his discretion, sell by public auction or otherwise dispose of the right to remove earth, stone, kankar, sand, murum, or any other material which is the property of Government for such period and in such quantities and on such terms as he thinks fit.

Provided that such sale or other disposal shall be made subject to the privileges conceded by rules 67 to 70 inclusive.

(2) The rate charged by the Collector under this rule, when the right in question is not put up for sale by public auction, may be either a lump sum, or so much per cubic foot of excavation, or in the case of a Railway Company requiring land for excavating ballast, so much per mile of the railway line for which ballast is obtained, or otherwise as the Collector thinks fit.

67. *Removal of earth, stone, etc., by villagers for their own use without fee with the permission of the revenue patel.*—(1) With the previous permission in writing of the revenue patel, or where there is no such patel, of the Mamlatdar, but without payment of fees (*a*) any potter or maker of bricks or tiles may, for the purposes of his trade, (*b*) any person may. for his domestic or agricultural purposes, remove earth, stone, kankar, sand, murum or other material from the bed of the sea or from the beds of creeks, rivers and nalas or from any unassessed waste land within the limits of the village in which he resides or in which the land for the benefit of which the materials are required is situated :

Provided that no such permission shall be given in respect of lands assigned as burial or burning grounds or for religious purposes.

(2) Nothing in this rule applies to any case falling under rule 69, and where it appears to the revenue patel that any case in which application is made to him under this rule falls under rule 69 he shall refer the application to the Mamlatdar for orders.

68. With the previous permission in writing of the Mamlatdar but without pay ment of fee, any person may, for the purpose of building a well. remove stone from any of the sources specified in sub-rule (1) of rule 67 if those sources are within the limits of the taluka in whichhe resides.

69. *Excavation.*— (1) In any case where excavation of the soil is likely to damage or destroy any valuable building or any land required for any special or public purpose or any boundary mark, the previous sanction of the Mamlatdar to any such removal shall be required and he shall refuse permission to the extent necessary to prevent such damage or destruction.

(2) *Ports.*—No Patel or Mamlatdar may permit any removal under rule 67 or 68 from land within port limits, or on the banks or shore of any port without the written concurrence of the " Collector of Salt Revenue " and under such conditions, if any, as he may impose.

(3) *Bricks, etc.*—In any case where it appears to the Mamlatdar that the trade carried on by any potter or maker of bricks or tiles is sufficiently extensive and lucrative to render such a charge fair and equitable, he may grant permission only on payment of fees at such rates as may be prescribed by the Collector in this behalf under rule 66 :

Provided that no such fees shall be charged in areas to which rule 82-A has been applied.

(4) In such cases or localities as he thinks fit, the Collector may prohibit the Mamlatdar or the revenue patel from giving permission without obtaining his previous sanction ; and in any such case all applications for permission shall be referred to the Mamlatdar for the Collector's order.

(5) Where the revenue patel refuses permission when the same is applied for under rule 67 or does not refer the application to the Mamlatdar under sub-rule (4) an appeal shall lie to the Mamlatdar.

70. *Removal of earth etc., from village tanks.*—Any person may, with the sanction of the revenue patel, take free of all charge from village tanks as much earth, stone, kankar, sand, murum or other material as he requires : provided that no stones shall be removed that may have fallen from the banks of built tanks, and that no excavation shall be made within 10 cubits of the foot of the embankment of any such tank.

CHAPTER IX-A.

Disposal of Water Vesting in Government.

70-A. No person shall, without the previous permission of the Collector in writing, make use of any water which is the Government property for the purpose of irrigating his land unless—

(*i*) a water rate is levied for the supply of water to the land under the Bombay Irrigation Act, 1879, or

(*ii*) the land is assessed for the advantages accruing to it from such water under the Bombay Land Revenue Code, 1879, or

(*iii*) the land is subject to an existing ' nala chad ' on account of irrigation by means of a budki or pumping plant or any other contrivance.

70-B. The Collector shall before granting permission under rule 70-A for the use of water which is the Government property take into consideration the interests of all persons already authorised to use such water.

70-C. The Collector may grant the permission subject to the payment of such water rate, if any, as he may deem fit to impose having regard to the general or special orders passed by the State Government for the levy of water rates for occasional irrigation under section 55 of the Bombay Land Revenue Code, 1879.

70-D. Any person who, without the previous permission of the Collector, in writing, required under rule 70-A makes use of any water which is the Government property for the purpose of irrigating any land shall be liable to pay such water rate not exceeding Rs. 50 per annum per acre of land so irrigated as the Collector may deem fit to impose.

70-E. The water rates payable under rules 70-C and 70-D shall be recoverable as arrear of land revenue.

CHAPTER X.

Alluvion and Diluvion.

71. *Holders of land with shifting boundaries may occupy up to such boundaries.*— When a holding is bounded on any side by the bank or shore of a river, creek or nala or of the sea, the holder will be permitted, subject to the provisions contained in sections 46, 47, 63 and 64, to occupy and use the land up to such bank or shore, notwithstanding that its position may shift from time to time.

72. *The Collector to dispose of claims under section 47.*—(*a*) Claims to decrease of assessment on account of diluvion under section 47 shall be disposed of by the Collector.

(*b*) It shall be the duty of the village officers to ascertain and to record the increases due to alluvion and losses due to diluvion in every holding subject to such changes. They shall also report to the Mamlatdar for orders when the area of any newly formed alluvial or island, or of any abandoned river bed, or land lost by diluvion exceeds the limits prescribed in sections 46, 47 and 64.

CHAPTER XI.

Assignment of Land for Special Purposes.

73. *Cattle stands and dhobis' and potters' grounds.*—(1) Gurcharan (gairan) or grazing ground for cattle, burial and burning grounds, spots near villages on which the village cattle stand, and lands for the use of village dhobis and potters, and for other recognised public needs may be assigned by the Collector for these purposes respectively, according to the reasonable requirements of the villagers without charge; and he may for sufficient reasons at any time revoke such assignment.

(2) Orders under this rule shall be passed in writing and recorded.

CHAPTER XII.

Relinquishments.

74. *Endorsement as to identity required below rajinamas.*—(1) Every notice given under section 74 shall in Form L and the declaration below the notice shall be subscribed by two respectable witnesses.

(2) The Mamlatdar who receives any such notice will be held responsible for exercising due care in ascertaining the identity of the person who has signed the same, notwithstanding that such notice has been duly endorsed as hereinbefore required.

74-A. (1) Subject to the provisions of sections 74 and 76 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the holder or holders of any land held for service intending to relinquish the same or any part thereof, that is, to resign or surrender it in favour of Government, shall make an application to the Collector of the district in which such land or part thereof is situate. Such application shall be in writing and shall be signed by the holder or, if there are joint holders, by all such joint holders. If the land is held hereditarily for service, the application shall be accompanied by the consent in writing of all persons who may, at the date of the application, have a present hereditary interest in the land.

(2) If the holder or any of the joint holders or any person having the present hereditary interest is affected with a legal disability, the application or consent, as the case may be, shall be signed by his legal representative entitled to act or enter into contracts on his behalf.

74-B. On the receipt of such application, the Collector may, after holding an inquiry himself or causing such inquiry to be held by an officer not lower in rank than a Mamlatdar or Mahalkari, and on being satisfied that the requirements of sub-rule (1) have been duly complied with, direct that the land shall, subject to any rights, tenures, incumbrances or equities (other than those of Government, the applicant and any other person consenting to the relinquishment) lawfully subsisting in favour of any person, be entered in Government records as unalienated unoccupied land, and the land shall thereupon cease to be land held for service. The Collector may, subject to such orders as may be passed by the Commissioner in this behalf, grant permission to occupy the said land or any portion thereof to any person who made or consented to the relinquishment on such terms and conditions as he thinks fit.

CHAPTER XIII.

Restrictions on Use of Land.

75. *Cultivation of unarable land in survey number when prohibited.*—(1) Land included as unarable (*pot kharab*) in a survey number assessed for purposes of agriculture only is of two kinds :—

(*a*) that which is classed an unfit for agriculture at the time of survey including the farm buildings or threshing-floors of the holder ;

(*b*) that which is not assessed because it is reserved or assigned for public purposes ; or because it is occupied by a road or recognized footpath, or by a tank or

stream used by persons other than the holder for irrigation or for drinking or domestic purposes, or used for a burial or burning ground by any community, or by the public; or because it is assigned for village potteries.

(2) Class (*a*) may be brought under cultivation at any time by the holder and no additional assessment shall be charged therefor.

The cultivation of class (*b*) is hereby prohibited under section 48, sub-section (4):

Provided that this prohibition shall not apply in the case of a tank or stream when such tank or stream is used for irrigation only and waters only land which is in the sole occupation of the holder, or when the privilege of cultivating the dry bed of the tank or stream has been specially conceded to the holder.

76. (1) No occupant of unalienated land, whether assessed for any purpose or not, shall use the same or any part thereof for the manufacture of salt without the previous permission in writing of the Collector of the district.

(2) The Collector may, in consultation with the Collector of Central Excises and Salt Revenue, Bombay, grant permission for the use of such land for such purpose, subject to the payment of non-agricultural assessment leviable on the land, and to such further conditions as the Collector may, subject to the general or special orders of the State Government, impose.

77. *Removal of earth, stone etc., prohibited, if injurious to cultivation and for purposes of trade, etc.*—Save as provided in section 65 and rule 76, no occupant of land assessed or held for purposes of agriculture only, and no person claiming under or acting by authority of any such occupant, shall excavate or remove earth, stone other than loose surface stones, kankar, sand, muram or any other material of the soil thereof, or make any other use of the land (*a*) so as, in the opinion of the Collector, thereby to destroy or materially injure the land for cultivation or (*b*) for purposes of trade or profit or any other purpose except his own domestic or agricultural purposes.

78. *Removal of earth, stone, etc., from building site prohibited except on certain conditions.*—No holder of land assessed or held as a building site, or lease-holder of a building site in a hill station, and no person claiming under any such holder or lease-holder, shall, subject to any special provision in the conditions annexed to his holding under secion 62, section 67 or otherwise, or prescribed by his lease, excavate or remove for at purpose whatever earth, stone other than loose surface stones, kankar, sand, mnym or any other material of the soil thereof, except with the previous permissioura writing of the Collector, and in accordance with such terms (including the n inent of fees for any such excavation or removal) as the Collector in each case thpaymt to prescribe.

79. *Excavation of ulienatned land within site of village, town or city prohibited except for certain purpoes.*—(1) No unaienated land within the site of any city, town or village shall beexcavated without the previous written permission of the Collector, for any purpose except the laying of foundations for buildings, the sinking of wells and the making of grain-pits.

(2) When permission is granted by the Collector to excavate any such land as aforesaid for any purpose other than those abovementioned, such excavation shall not be made otherwise than in accordance with such terms (including the payment of fees for any such excavation) as the Collector in each case thinks fit to prescribe.

CHAPTER XIV.

Imposition and Revision of Non-Agricultural Assessment.

Alteration of assessment in the case of unalienated lands.

80. *Alteration of assessment when land assessed or held for agricultural purposes is used for non-agricultural purposes.*—Where unalienated land assessed or held for purposes of agriculture only is subsequently used for any purpose unconnected with agriculture, the assessment upon the land so used shall except in the cases provided for in rule 43-B, 51 or 76 and except as otherwise directed by the State Government be altered under sub-section (2) of section 48 and such alteration shall be made by the Collector in accordance with the rules contained in this Chapter.

80-A. On the expiry of the period for which the assessment of any land assessed or held or used for any non-agricultural purpose has been fixed, the assessment shall be revised by the Collector from time to time in accordance with the rules contained in this Chapter.

80-B. When land which is held or used for any non-agricultural purpose is assessed under the provisions of section 52, such assessment shall be fixed and revised by the Collector from time to time in accordance with the rules contained in this Chapter.

81. *Ordinary rates of non-agricultural assessment.*—(1) For the purpose of determining generally the rate of non-agricultural assessment leviable, each Commissioner shall, from time to time, by notification published in the Official Gazette, divide the villages, towns and cities in each district in his division (to which a standard rate under rule 82 has not been extended) into two classes.

(2) The assessment shall then be fixed by the Collector at his discretion, subject to the general or special orders of the State Government at a sum per square yard within the following limits :—

Maximum—For Class I land 2 pies.
For Class II land 1 pie.
Minimum—The agricultural assessment.

In fixing the rate within the above limits due regard shall be had to the general level of the value of lands in the locality used for non-agricultural purposes.

(3) The Collector with the previous sanction of the Commissioner which shall only be given for special reasons to be recorded in writing, may levy on any land non-agricultural assessment at a rate higher than the maximum fixed under sub-rule (2) in respect of any village, town or city in which such land is situated, in cases where the land is either situated in an exceptionally favourable position, or where it is used temporarily for a non-agricultural purpose, or where the purpose for which it is used is of a special kind. Such higher rate shall not however exceed 50 per cent. of the estimated annual rental value of the land when put to non-agricultural use in question.

82. *Special rates of non-agricultural assessment in certain areas.*—In any area in which, on account of there being a keen demand for building sites or for any other special purpose, the State Government may, by notification in the *Official Gazette*,

direct that this rule shall be applied, the rate of non-agricultural assessment shall be determined in accordance with the following provisions and not under rule 81 :—

I. The non-agricultural assessment shall ordinarily be a percentage on the full market value of the land as a building site.

II. In cases where this rule is applied on account of there being a demand for building sites, the market value of the land shall be estimated as far as possible on the basis of actual sales of unoccupied land for building purposes in the locality. In cases where this rule is applied on account of the demand being for other special purposes, the market value shall be estimated as far as possible, on the basis of actual sales of unoccupied land of which the value is enhanced by the existence of the special demand.

III. The State Government shall determine what percentage shall be charged in any locality to which this rule is applied, and the standard rates of non-agricultural assessment shall be calculated thereupon and shall be levied in place of the current rate of assessment. At intervals of ten years or, in particular localities, at such shorter intervals as the State Government may direct, the rates shall be revised with the sanction of the State Government. Until the rates are so revised, the old rates shall remain in force. The rates sanctioned from time to time shall be published in the Official *Gazette*. A public notice shall be given one year before any revised rate comes into force.

IV. A rate differing from the standard rate of non-agricultural assessment in any locality shall not be levied without special reasons which shall be recorded : provided that the Collector, with the previous sanction of the Commissioner, may levy a higher rate in the case of land situated in an exceptionally favourable position.

Provided that the non-agricultural assessment of plots of land not built upon in Development Department Schemes shall be limited to a maximum rate of Re. 1 per 250 square yards or part thereof.

V. *Deleted.*

VI. The rates of non-agricultural assessment leviable on lands in the Bombay Suburban Division, to which this rule applies, shall however be reduced to such extent as the State Government may specify by a notification in the Official *Gazette*.

82-A. Notwithstanding anything in rules 81 and 82 in any area to which the State Government may by notification in the Official *Gazette* direct that this rule shall be applied an additional rate of Rs. 2½ for every lakh of bricks manufactured in any one year shall be levied in addition to the annual assessment at the rate determined in accordance with the provisions of rule 81 or 82, as the case may be, and if such rate is less than Rs. 40 at the rate of Rs. 40 per acre on land used for the manufacture of brick : Provided that where exact accounts of manufacture are not available, the Collector shall be at liberty to fix the number according to the known capacity of the kiln, and his decision shall be final.

83. *Cancelled.*

84. *Grant of permission in hill stations, etc.*—In hill stations and such other localities as the State Government may direct, permission shall not be granted under section 65 except on such conditions as are considered desirable, regarding the style of building, the period for construction and the observance of municipal or sanitary regulations. Such conditions shall be embodied in the Sanad.

85. *Assessment leviable on compounds ; reduced in certain cases.*—Non-agricultural assessment shall ordinarily be levied upon the whole of the land within the compound of a building and not merely upon the land covered with building.

86. *Levy of non-agricultural assessment when to begin.*—(*a*) The non-agricultural asssesment shall ordinarily be levied from the first day of the revenue year next succeeding the revenue year in which permission to use the land for non-agricultural purposes was given, provided that (1) where the use is temporary the Collector may in his discretion levy it from the first day on which or the commencement of the year in which the non-agricultural use begins.

(2) In the case of building sites held by Co-operative Housing Societies which are not built upon, no non-agricultural assessment shall be levied for the three years subsequent to the date on which possession of the land was taken or the building permission granted, as the case may be. And on the expiry of that period, non-agricultural assessment shall be levied with effect from the first day of the next revenue year at half the rate current in the locality, unless for special reasons, which shall be specified in writing the Collector considers it desirable that the full exemption from non-agricultural assessment should be continued for a further period or periods. In all cases, the full non-agricultural assessment payable in the locality shall be levied as soon as a plot is built upon.

(*b*) Where no permission was given the non-agricultural assessment levied for non-agricultural use shall always be levied from the first day of the revenue year in which the use commenced.

86-A. *Graduated levy of non-agricultural assessment.*—If the non-agricultural assessment fixed in accordance with the rate determined under rule 82 in respect of land used for building purposes is revised and increased, such revised non-agricultural assessment shall be levied in the following manner :—

(1) If the rate of the revised non-agricultural assessment does not exceed 2 pies per square yard the whole of such revised non-agricultural assessment shall be levied from the year in which the revised non-agricultural assessment is leviable under rule 86.

(2) If the rate of the revised non-agricultural assessment exceeds 2 pies per square yard,

(*i*) an assessment equal to double the non-agricultural assessment existing at the time of revision in respect of the said land or an assessment at the rate of 2 pies per square yard whichever is greater shall be levied in the year in which the revised non-agricultural assessment is leviable under rule 86, and

(*ii*) thereafter in subsequent years the assessment shall be increased every year by an amount which is equal to the non-agricultural assessment existing at the time of revision or to an assessment at the rate of 1 pie per square yard whichever is greater until the whole amount of the revised non-agricultural assessment as fixed is leviable in any year :

Provided that—

(*a*) the whole of the revised non-agricultural assessment so fixed shall be levied from the year in which the limit of such revised non-agricultural assessment is reached or from the eleventh year computed from the year in which the revised non-agricultural assessment is leviable under rule 86, whichever is earlier, and

(*b*) in localities where the concession of reduced assessment has been granted under rule 56-III and IV of the Land Revenue Rules published in Government *Notification No. 7368, dated 6th December 1881,* as subsequently amended from time to time, each successive increase in the non-agricultural assessment under sub-clause (*ii*) of clause (2) above shall be made at intervals of two years and the whole of the revised non-agricultural assessment which is fixed shall be levied from the year in which the limit of such revised non-agricultural assessment is reached or from the twenty-first year computed from the year in which the revised non-agricultural assessment is leviable under rule 86, whichever is earlier.

87. *Revision of non-agricultural assessment.*—(*a*) The period for which the non-agricultural assessment is to be fixed shall ordinarily be 30 years except in the Bombay Suburban District where, on account of its special conditions the period shall ordinarily be fifty years. On the expiry of this or any other period so fixed, and at such further intervals as may be from time to time directed by the State Government in this behalf, the assessment fixed shall be liable to revision in accordance with the Code and the rules and orders for the time being in force thereunder.

(*b*) When land which is used for non-agricultural purposes is assessed under the provisions of rules 81 to 85, a sanad shall be granted in the Form M if the land is used for building purposes, in Form NI if the land is used temporarily for non-agricultural purpose other than building and in Form N in all other cases.

88. *Deleted.*

89. *Maps showing non-agricultural assessment.*—(1) Each Collector shall permanently maintain in his office and from time to time as required renew a map of his district upon which it shall be clearly shown by distinct colours, or otherwise as may be convenient, under which of the foregoing rules and classes all the land of the district falls.

(2) When an area is very small, or when its limits intersect a village in an intricate way, insets on a larger scale or a supplementary file of village maps shall be provided.

(3) Whenever any area is brought under a different class or rate by a fresh order the map shall be corrected and the authority for the change noted over the Collector's signature on the map.

(4) Each Mamlatdar shall similarly maintain a map of his taluka with similar supplements which shall be similarly corrected and endorsed by the Collector at each change.

(5) These maps shall be open to public inspection free of charge during all office hours.

90. *Levy of rate when land assessed for a purpose other than building is used for building.*—(1) When any holding which has been assessed or is held for non-agricultural purposes other than building, is with the Collector's permission, used for residential building, the Collector shall levy the rate of assessment imposed on land used for such purpose in the locality.

(2) In such cases the holder shall be given a new sanad in the form prescribed from time to time under rule 87 (*b*).

91. *Re-imposition of agricultural assessment.*—(1) When any holding, which has been assessed or of which the assessment has been altered for any non-agricultural use, is used for agriculture only, the Collector may, on the application of the holder, remove the non-agricultural assessment and impose either the old agricultural assessment, if any, and if the settlement period has not expired; or may impose in other cases a new agricultural assessment equivalent to that imposed on other similar agricultural lands in the vicinity.

(2) Such agricultural assessment shall be subject to the same conditions as to periodical revision and the same rules and provisions of law as if they had been imposed at the ordinary revenue settlement of the village in which the land is situated:

Provided that if the holder has paid any lump sum as commuted assessment for any period, he shall not be entitled to any refund or to any change in the conditions of his lease or agreement until the period for which the commutation has been paid expires.

Alteration of Assessment in surveyed and settled Alienated Villages.

92. *Application of rules; certain powers of Collector to be exercised by holder with commission.*—When land assessed for purposes of agriculture only is subsequently used for any purpose unconnected with agriculture, the assessment upon the land so used shall, unless otherwise directed by the State Government, be altered under sub-section (2) of section 48 by the Collector in accordance with rules 81 to 87 inclusive:

Provided that the powers of the Collector under those rules, other than the power of estimating the full market value and fixing standard rates of assessment, shall be exercised by the holder or holders of the alienated village in respect of land specified in a commission conferring the powers of a Collector under section 65 or 66 upon such holder or holders under section 88 (*d*).

93. *Fines.*—For the purposes of determining the amounts of the fines leviable under section 66, rules 99 to 102 shall be applied:

Provided that the powers of the Collector under section 65 or 66 respectively shall be exercised in accordance with the provisions of rules 99 to 102 by the holder or holders of the alienated village in respect of land specified in a commission conferring the powers of a Collector under section 65 or 66 respectively upon such holder or holders under section 88 (*d*).

94. *Applications how to be dealt with.*—(1) When the Collector receives an application under section 65 for permission to use for any other purpose land assessed for purposes of agriculture only, he shall forthwith forward to the holder or holders of the alienated village in which the land is situated a copy of the application and shall as soon as possible thereafter also forward to such holder or holders a letter showing the non-agricultural assessment leviable upon use of the land for such other purpose and requesting such holder or holders to intimate within one month of the date of the letter whether the application should be granted or refused.

(2) If such holder or holders intimate that the application should be granted it shall be granted accordingly; but if such holder or any of such holders intimate that the application should be refused or do not make any intimation within the time specified the application shall be refused.

95. *Procedure when information of use for non-agricultural purposes is received.*—(1) When the Collector receives information that any inferior holder of land assessed for purposes of agriculture only has rendered himself liable to any of the penalties specified in section 66 the Collector shall address to the holder or holders of the alienated village a letter communicating the information and the liabilities of the holder of the said land and showing the non-agricultural assessment or fine or both leviable and requesting the holder or holders of the alienated village to intimate within such time as the Collector considers reasonable whether the liabilities should or should not be enforced.

(2) If such holder or holders intimate that the liabilities should be enforced, they shall be enforced accordingly ; but if such holder or any of such holders intimate that the liabilities should not be enforced or do not make any intimation within the time specified or wthin such further time as may specially be granted, they shall not be enforced.

(3) Provided that the Collector shall not pass any such orders in respect of land specified in a commission conferring the powers of a Collector under section 66 upon the holder or holders of the alienated village under section 88 (*d*) but shall forthwith communicate the information for the orders of such holder or holders of the alienated village ; and also provide that any such information may be received and acted upon by such holder or holders of the alienated village direct.

96. *Communication of orders and levy of assessment.*—(1) The Collector, or the holder or holders of the alienated village, as the case may be, shall communicate any orders passed by him or them under these rules to the Mamlatdar, who shall communicate such orders to the applicant or holder of the land concerned and shall direct the village officers to levy any non-agricultural assessment or fine so ordered.

(2) Such non-agricultural assessment or fine shall be levied in the same manner as other land revenue and shall be paid wholly to the holder or holders of the alienated village where such holder or holders are entitled to the whole land revenue of the village or proportionately to their shares when such holder or holders are entitled to a proportion only of the land revenue in accordance with the conditions under which they hold the alienated village.

96-A. *Re-imposition of agricultural assessment in surveyed and settled alienated villages.*—The provisions of rule 91 shall apply also to the holdings assessed to non-agricultural use in surveyed and settled alienated villages.

97. *Kadim and sheri lands exempted.*—Nothing in rules 92 to 95 and 96-A shall be deemed to apply to lands which are alienated lands apart from the alienation of the village in which they are situated, nor alienated land in the possession of and occupied in person by the holder or holders of the alienated village.

98. *Meaning of "holder" of alienated village.*—For the purposes of rules 92 to 97 the holder or holders of any alienated village shall be taken to mean the actual holder or holders or in cases of doubt the person or persons whose name or names is or are registered as such in the register kept under section 53.

Permission for non-agricultural use and fines in cases of unauthorized use.

99. *No fine ordinarily to be imposed under section 65.*—No fine shall ordinarily be imposed under section 65, that is to say, where land assessed or held for purposes of agriculture is used for any purpose unconnected with agriculture with the permission of the Collector.

100. *Maximum fine leviable under section 66.*—Any fine imposed by the Collector under section 66 shall be fixed by him at his discretion subject to rule 101 shall not exceed ten times the non-agricultural assessment imposed under this Chapter.

101. *Maximum fine leviable for unauthorised use for building, brick making etc.*—When the material of the soil of any occupied land is employed for bricks or tiles or pottery or for any other non-agricultural purposes, without the permission of the Collector being first obtained and the value of the land is thereby adversely affected, a fine may be levied at a rate not exceeding double the rate prescribed in rule 100.

102. *Saving of special cases dealt with by the State Government.*—Notwithstanding anything contained in rules 99 to 101, the Collector may, in such cases as the State Government deem exceptional or unusual, impose a fine, whether under section 65 or under section 66, at such rate as may be fixed by the State Government in that behalf.

103. *Limit of fine under section 61.*—The limit of fine to be levied under section 61, when land is unauthorizedly occupied and used for any non-agricultural purpose, shall be double the amount of the fine that would be leviable under section 66 and rule 100 if the same land being in lawful occupation had been used by the holder for the same purpose without the permission of the Collector :

Provided that a fine up to Rs. 100 may be levied in any such case irrespective of the area of the land involved.

CHAPTER XV.

Record of Rights.

104. The record of rights and mutations, the index of lands and the register of disputed cases shall be kept in forms O, P and Q respectively ; provided that in sites surveyed under section 131, these forms may be modified by the Director of Land Records to suit the requirements of cities, the record of rights being termed the " Property Register ". After the original preparation of the Record, all later entries altering or transferring those rights are termed " mutations ".

105. (1) When the record of rights is first introduced in any village, as soon as the preparation has begun, the village accountant shall cause notice thereof to be given by beat of drum and shall post up a written notice in the chavdi. He shall also write at the head of the record a certificate that such notice was duly given.

(2) Prior to the preparation of the fair copy of the record of rights, the village accountant shall prepare a rough copy of the record in the form of an Index of Lands with all rights noted against each parcel. Until the fair copy is prepared, such rough copy shall be used as and be deemed to be the register of mutations, and the provisions of the Code and of these rules which apply to the said register shall apply so far as may be to such rough copy, and the provisions of rule 111 respecting the introduction of the re-written copy of the index shall apply so far as may be to the introduction of this first fair copy of the record.

106. (1) Every mutation shall be posted in the Diary by the village accountant and examined by the Circle Inspector and shall be read out and explained by the latter to all persons present.

(2) The Circle Inspector shall initial all entries so examined.

(3) If any person adversely affected admits an entry to be correct, the Circle Inspector shall note the admission.

(4) If any interested person disputes the correctness of an entry, the Circle Inspector shall not erase but shall correct any errors admitted by all parties either by bracketing the errors and inserting the correct entries by interlineation or side note or by an entirely fresh entry, in either case authenticated by his signature: if the error is not admitted, he shall enter the dispute in the Register of Disputed Cases (form Q), and it shall be disposed of under rule 108.

107. (1) The entries in the Diary of mutations shall be further tested and revised by a revenue officer not lower in rank than a Mamlatdar's First Karkun.

(2) Any entry found by such officer to be correct shall be certified by him.

(3) Any entry found to be incorrect shall, if no dispute is brought to his notice, be corrected as in rule 106 (4) and certified by him; such correction shall be a new mutation for the purpose of section 135D (2).

(4) Where such officer finds that there is a dispute regarding any entry examined by him, he shall enter the dispute in the register of disputed cases and the dispute shall be disposed of under rule 108. Such officer shall, wherever possible, himself dispose of the dispute under the said rule forthwith.

(5) One appeal only shall lie against any entry certified under sub-rule (2) or corrected under sub-rule (3) otherwise than by the Collector himself, to the same authority to which an appeal lies in a case decided under rule 108.

108. (1) Disputes entered in the register of disputed cases shall ordinarily be disposed of by the Mamlatdar's First Karkun or by the Mamlatdar, but may be disposed of by the District Inspector of Land Records or by any revenue officer of superior rank to that of First Karkun.

(2) The enquiry shall ordinarily be made in the village in which the land is situate or where the interested parties reside.

(3) The officer making the enquiry shall record his order disposing of the dispute in the said register, and shall then make such entry in the Diary of mutations as may be necessary.

(4) Such officer shall certify the entry in the Diary of mutations to be correct.

(5) An appeal against an order under this rule shall, if the order has been made by the Mamlatdar's First Karkun, the Mamlatdar, the District Inspector or a Revenue Officer of lower rank than that of a Deputy Collector, lie to the Sub-Divisional Officer, or to an officer appointed by the State Government in this behalf, and if the order has been made by the Sub-Divisional Officer, the Superintendent of Land Records or by a Revenue Officer of a rank not lower than that of a Deputy Collector, to the Collector; such appeal shall be presented within sixty days from the date on which the copy of the order was served on the appellant or was otherwise intimated to him:

Provided that the appellate authority may, after recording its reasons in writing admit an appeal after the aforesaid period of sixty days if it is satisfied that the appellant had sufficient cause for not presenting the appeal within such period.

Subject to the provisions of sub-rule (6) the decision of the appellate authority shall be final. There shall be no appeal against the order of the Collector. No second appeal shall lie in any case.

(6) The State Government may call for and examine the record of any enquiry or the proceedings of any subordinate revenue officer held under rules 106, 107 and sub-rules (1) to (5) of this rule for the purpose of satisfying itself as to the regularity of such proceedings and as to the legality or propriety of any decision or order passed in such proceedings.

If, in any case, it shall appear to the State Government that any proceedings so called for or any decision or order made in such proceedings should be modified, annulled or reversed, it may pass such order thereon as it deems fit.

(7) If the appellate order or the order passed in revision by the State Government confirms the previous decision it shall be noted in the remarks column against the entry which is confirmed. If it alters it, the change shall be entered as a fresh, but not disputable, mutation.

109. Entries in the Diary of mutations shall ordinarily be transferred to the index of lands as soon as certified.

110. The index of lands shall be re-written incorporating all mutations recorded up to the date prescribed by the sub-divisional officer whenever that officer, in view of the number of entries in the Diary of mutations, shall so direct.

111. (1) When the re-written index of land is reported to be complete, the Collector or sub-divisional officer shall fix a date for its inspection and shall cause notice thereof to be given calling upon all persons interested to appear on such date at a specified place in or in the immediate vicinity of the village concerned, and notifying that any such person may before such date inspect the Index on application.

(2) On the date and at the place appointed, the Collector or sub-divisional officer shall compare the new copy with the old Index and the Diary of mutations, cause such portions thereof to be read out as any of the persons present may desire to hear, read and make any correction that may be necessary.

(3) Such officer shall then sign the new Index and subscribe below it a certificate that the entries therein have been duly tested and found correct.

112. Where a revenue officer or a village accountant issues any summons or notice under section 135E (1) or G, he shall follow the provisions of section 190 or 191, as the case may be.

113. Record of such tenancies as are not perpetual or notified under section 135B (2) shall be kept in form R. The entries therein shall be tested by the Circle Inspector when he examines the crops, and by other officers of higher rank. When any error is discovered by any of these inspecting officers, they may correct it and initial the corrected entry. The register will be compiled every ten years, but there will be no notification. When any dispute as to such tenancies is found to exist, a note of the fact may be made in the register, but no entry will be made in the register of disputed cases, nor will any revenue officer decide the dispute.

CHAPTER XVI.

Recovery of Land Revenue.

114. *Land revenue where and to whom to be paid.*—All payments of land revenue shall be made to the officers of the village in which such revenue is due : provided that, with the sanction of the Collector, such payment may in special cases be made into a Government Treasury within the district to which the payment appertains.

Provided further that where the Collector acting under the general or special orders of Government, declares any village in a taluka to be a centre for the payment of land revenue in respect of such villages as the Collector specifies in that behalf, payment of the land revenue due in the villages so specified, to the officers of those villages shall be made at the centre so declared.

114-A. *Publication of declaration under rule 114.*—Any declaration made by the Collector under rule 114 shall be made known by affixing a copy thereof in the chavdi or some other public building in the villages concerned or in such other manner as the Collector may deem expedient.

114-AA. (1) In cases where the non-agricultural assessment is fixed under rule 87, the assessment, if it does not exceed one rupee, may, with the consent of the Collector instead of being rendered annually, be commuted at any time by the occupant for a lump payment for the term or residual part of the term for which it is fixed.

The lump payment shall be equal to three-quarters of the aggregate amount of the assessment due for the said term or residual part thereof, as the case may be, or twenty times the assessment, whichever is less.

A note of such payment or commutation shall be made in or at the foot of the sanad or lease granted in respect of the land under rule 87(*b*). On the expiry of the period for which it has been commuted, the assessment, whether revised or not, shall again be leviable unless it is again commuted under this rule.

(2) The lessee of any land the rent of which is fixed under rule 51 may in the like manner commute such rent if it does not exceed one rupee.

(3) The Commissioner may, by general or special order, authorise the commutation of any other item of annually recurring land revenue which does not exceed one rupee, for a period not exceeding fifty years.

(4) The provisions of sub-rule (1) shall apply *mutatis mutandis* to every case of commutation of rent or other items of land revenue under sub-rule (2) or (3).

115. Except in Ratnagiri, Kolaba, Kanara and Thana, Collectors shall, with the sanction of the Commissioner, classify the villages in their districts into the following three classes :—

Class I : kharif villages in Ghat districts and elsewhere where it is necessary that the revenue be secured specially early ;

Class II : kharif villages in Gujarat and elsewhere where no such special provision is necessary ;

Class III : rabi villages generally.

116. *Dates on which agricultural revenue to be paid.*—(1) The land revenue payable in respect of lands assessed for purposes of agriculture only shall be paid in equal or nearly equal instalments on the following dates :—

(*a*) Deleted ;

(*b*) In Thana district—the 1st January and the 16th February ;

(*c*) and in villages classed under rule 115 in—

Class I, on the 5th December and the 5th January ;

Class II, on the 5th January and the 5th March ;

Class III, and the whole of the District of Ratnagiri, Kanara and Kolaba the 5th February and the 5th April :

(2) Provided that—

(*i*) in any district or in any part of a district where the dates above specified are found unsuitable, the Collector may, with the sanction of the Commissioner, fix such other dates as he may deem expedient according to the circumstances of the season and of the villages concerned and the character of the crops generally shown therein ;

(*ii*) where the annual amount of the revenue is five rupees or under, it shall be payable in a lump sum at the date of the first instalment ;

(*iii*) if the person from whom the year's revenue is due so wishes, he may in any case pay the whole amount at once instead of by instalments.

117. *Other land revenue.*—Land revenue, other than that due upon agricultural land shall ordinarily be paid in one instalment, at the time of the first instalment of agricultural land revenue or on such other date as the Collector thinks fit in any case to prescribe ; but in special cases the Collector may in his discretion allow the payment to be made in two or more instalments on dates which shall be fixed by him.

118. *Form of notice of demand.*—The notice of demand to be issued under section 152 shall be in form S.

119. *Duties of village officers.*—(*a*) It shall be the duty of the village officers to warn landholders verbally from time to time of the dates on which their instalments are due, and to use their influence in securing prompt payment without resort to notices of demand or other compulsory processes.

(*b*) Village officers shall report to the Mamlatdar the names of landholders who, they have reason to believe, will not punctually pay their instalments, in order that precautionary measures under sections 140-145 may be, when necessary, adopted in time : and shall immediately report any case where the produce of any land on which the assessment has not been paid is attached by a Civil Court.

119-A. *Superior holder may make only one application under section 86 in respect of inferior holders or co-sharers in his holdings in one and the same village.*—A superior holder seeking assistance under section 86 for the recovery of rent or land revenue payable to him by inferior holders, or by co-sharers in his holding may make one application in respect of all or any number of the inferior holders or co-sharers if the land in respect of which the rent or the land revenue is payable by them is situated in one and the same village.

CHAPTER XVII.

Disposal of Forfeited Land.

120. *Restoration or grant on inalienable tenure.*—Where the Collector thinks it advisable that the holding of a defaulter should, after forfeiture, be either restored to the defaulter or given out with or without any occupancy price to any other person, subject to the condition that he shall not transfer it in any way to another person without the previous sanction in writing of the Collector, the Collector, after having declared such holding to be forfeited to the State Government, may, without having resort to any of the other means provided in the Code for the recovery of an arrear of land revenue, restore, or give it out (as the case may be), accordingly, and shall take an agreement in form T.

121. *Partial forfeiture.*—Where the land in respect of which an arrear is due consists of two or more survey numbers or of two or more sub-divisions of survey numbers or of two or more estates separately assessed, and the Collector is of opinion that the whole amount of such arrear could be realized by the sale of less than all of such survey numbers, portions or estates, he shall restrict forfeiture to such one or more survey numbers or the sub-divisions as prove sufficient to realise the arrears.

122. *Deleted.*

123. *Disposal of forfeited land otherwise than by sale in certain cases.*—Forfeited land shall not be put up for sale in the following cases, but shall be disposed of in the manner hereinafter prescribed for the particular case under which it falls, namely :—

(*a*) Where the Collector thinks that, owing to general agricultural depression or to the want of demand for such land, or to a combination of the neighbouring land-holders, or for any other special cause, there will be no bidders at the sale, or that the highest amount bid will be considerably below the reasonable value, he shall cause the land to be entered in the land records as unoccupied.

(*b*) Where the Collector finds that the land is likely to be required either immediately or within a reasonable time for any of the purposes described in section 38, he shall take steps at once to assign it for such purpose.

(*c*) In the case of a forfeited alienated holding, where the Collector considers it expedient to allow the land to continue in the possession of its actual holder or tenant, as an occupant of unalienated land, annulling the alienation, he shall pass orders accordingly for its continuance.

(*d*) In the case of an inferior holding forfeited on account of an arrear of rent or land revenue due to a superior holder, for the recovery of which assistance is being rendered under sections 86 and 87, the Collector may in his discretion transfer the holding to the superior holder thereof, subject to such tenures, rights, incumbrances or equities (if any) as he may direct under section 56.

(*e*) In any other case, where the Collector considers it is expedient that the disposal of a forfeited holding should be otherwise than by sale, and obtains the sanction of the State Government thereto, he shall dispose of it in accordance with the particular orders for its disposal passed or sanctioned by the State Government.

124. *Forfeited land to be sold for recovery of arrears in other cases.*—In cases not falling under rule 120, 121, 122 or 123, forfeited land shall, subject to the provisions of rule 126, be put up for sale for recovery of the arrears due.

125. *Rules and orders applicable to sales of forfeited land.*—(1) Every sale of forfeited land shall be made subject to the same rules as are applicable to the sale of unoccupied unalienated land so far as the same are consistent with the provisions of Chapter XI.

(2) The Collector should ordinarily set side the sale under section 179, if in his opinion—

(*a*) the bidding at such sale has not been *bona fide*; or

(*b*) there has been collusion to recover the holding without payment in full of the arrears and charges due to the State Government or the superior holder; or

(*c*) there has been some material irregularity or mistake or fraud, in publishing or conducting such sale, which is likely to have affected the amount of the highest bid or otherwise to have caused substantial injury to any person.

126. *Restoration of forfeited land.*—(1) It shall be in the discretion of the Collector to restore any forfeited land at any time previous to any sale or other disposal under these rules on payment of the arrear in respect of which the forfeiture was incurred together with all costs and charges lawfully due by the defaulter, or on security being given to his satisfaction for the payment of the said arrear, costs and charge within a reasonable period:

Provided that no forfeited alienated holding, which is not held for service, shall be restored as alienated land without the previous sanction of—

(*a*) the Commissioner if it is assessed at more than Rs. 50;

(*b*) the State Government if it is assessed at more than Rs. 100.

(2) Where in the case of a forfeited alienated land held for service by a watandar the Collector is satisfied that the failure to pay the land revenue due thereupon arose solely from the inability of the defaulter to meet the demand, he may deduct from the forfeited land a portion of which the price would be likely to equal the amount of the arrear recoverable, and deal with such portion in accordance with such of rules 122 to 125 as are applicable, and restore the remainder of the forfeited land to the defaulter, or may restore the entire forfeited land to the defaulter, and either remit the arrear of land revenue due, or make such arrangements for its being paid in the future as he thinks fit.

CHAPTER XVIII.

Sales.

127. *Auction sales under rule 42 where to be held.*—Auctions held under rules 37 (1), 41, 42 and 50(2) shall ordinarily be conducted in the town or village in which the land is situated.

128. *Upset price may be fixed.*—Where any land or other property is sold by public auction, an upset price shall, if the Collector thinks fit, be placed thereon:

Provided that where in the opinion of the Collector difficulty is likely to be experienced in effecting speedy recovery of the arrears or bidders are likely to be deterred rom o ffering bids, no such upset price shall be placed.

129. *Sales how to be conducted.*—(1) Every sale by auction under these rules, or in pursuance of any of the provisions of the Code, shall be conducted, so far as may be, in accordance with sections 165, 166, 170 to 177 both inclusive and 180. The proclamation and written notice of sale required to be issued under sections 165 and 166 shall be in one of the forms U or W, with such modifications, if any, as may be necessary :

(2) Provided that, in conducting the following sales, namely :—

(*a*) sales of the right of grazing and of the right to take or cut grass in waste lands,

(*b*) sales of the right to take the fruit of specified Government trees for a specified period, and

(*c*) sales of dead-wood,

the procedure shall be in accordance with such orders as may from time to time be made by the Collector either generally or in a particular case instead of the procedure prescribed in sections 165 and 166.

(3) Where in the opinion of the Collector difficulty is likely to be experienced in effecting speedy recovery of the arrears or bidders are likely to be deterred from offering bids, it shall be lawful for the Collector or his nominee to bid at the auction and purchase the land or other property for a bid of rupee one.

CHAPTER XIX.

Appeals.

130. *Form and contents.*—Every appeal shall be made in the form of a petition addressed to the authority to whom an appeal lies, and shall be drawn up in concise, intelligible and respectful language ; and shall bear the signature or mark of the appellant or of his duly authorized agent.

(2) The petition should give the following particulars :—

the name, father's name, occupation and place of residence or address of the appellant ;

the name and address of the writer of the petition.

(3) The petition should also contain a brief and unexaggerated statement of the facts on which the appellant relies in support of his appeal and the grounds of the appellant's objection to the order or decision appealed against.

131. *Presentation.*—(1) Appeals may either be presented to the authority to whom an appeal lies in person or be forwarded to him by post.

(2) Where an appeal is sent by post, the postage on the cover containing it must invariably be fully prepaid.

132. *Rejection of appeals without enquiry into their merits.*—In attention in any material respect to the requirements of rule 130 or 131 will render an appeal liable to be rejected without enquiry into its merits.

CHAPTER XX.

Penalties.

133. *Breaches of the rules how punishable.*—Breaches of rules hereunder mentioned shall be punishable on conviction before a Magistrate as follows :—

(1) Whoever commits a breach of rules 67, 68, 69, 70 or 78, by excavating or removing earth, stone, kankar, sand, muram or any other material of the soil without due authority ;

with imprisonment which may extend to one month, or with fine which may extend to five hundred rupees.

(2) Whoever commits a breach of rules 75, 76, 77 or 79, by using or excavating land in a prohibited manner, or for a prohibited purpose, without due authority :

with fine which may extend to five hundred rupees.

(3) Breach of any of rules 67, 70, 72(*b*), 119(*a*), 119(*b*), 134 or 135 committed by a village officer or city surveyor—

(*a*) by taking or levying any fees for preparing any document or copy or extract of any document which he is bound by any such rule to prepare without charge, or

(*b*) by charging any fee (*i*) for granting any permission or inspection which he is authorized by any such rule to grant, or (*ii*) for making any search for records, for which no fee can lawfully be charged,

(*c*) by refusing without reasonable cause an inspection of land records which he is required by any such rule to permit : with imprisonment which may extend to one month, or

with fine which may extend to five hundred rupees.

(*d*) by refusing or neglecting to prepare any document or copy or extract of any document or to sign or to cerfity the same, in the manner prescribed by any such rule, or

(*e*) by neglecting to make any report or to perform any duty which he is required by any such rule to make or to perform :

with fine which may extend to five hundred rupees.

CHAPTER XXI.

Certain Documents to be prepared free of Charge.

134. *Village accountants to prepare certain documents without charge when so desired*—(1) It shall be the duty of every village accountant, if so requested by any occupant, or by any person about to become an occupant, of land in his village, to prepare any agreement that may be necessary under either rules 37, 43 and 43-B, 46 or 120 without fee or charge of any kind, and any notice of relinquishment under section 74.

(2) A village accountant who prepares any such agreement or notice shall affix his signature beneath the words "written by" on the lower left-hand corner of such agreement or notice.

CHAPTER XXII.

Copies, Inspection and Searches.

I.—Inspection.

135. *Certain documents to be open to inspection.*—Documents, maps, registers, accounts and records, the right of inspection of which is provided for in section 91 of the Indian Registration Act (XVI of 1908) and in section 213 and all *public documents* which any person has, under the provisions of any law for the time being in force, a right to inspect, shall be open to inspection in the office of the officer in charge of the same during the usual office hours every day, except Sundays and public holidays, on payment of the fee hereinafter prescribed in this behalf: and not otherwise :

Provided that no fee shall be charged for inspection (with the permission of the officer in charge) of the Enquiry Proceedings or Register or Property Register of a City Survey by a Municipal Official for municipal purposes :

Provided also that no fee shall be charged for inspection (with the permission of the Officer in charge) of the Enquiry Proceedings or Register or Property Register of a City Survey or Village Records by an Officer of the Panchayat established or deemed to have been established under the Bombay Village Panchayats Act, 1933, for the purposes of such Panchayat :

Provided further that no fee shall be charged for the inspection of village records by an officer or a member of any Co-operative Society for the business of the Society.

II.—Extracts and Copies.

136. *Uncertified copies.*—(1) No uncertified copy or extract shall be obtainable of or from any documents other than those prescribed in rule 135, nor otherwise than under this rule.

(2) Any person may himself or by an agent make a copy of any public document or of any portion of any public document of which he has duly obtained inspection, but no copy so made shall be certified by any public officer.

137. *Village accountants to grant certified copies of certain records.*—(1) So long as the originals are in their charge, all village accountants, and in the cities surveyed under section 131 all City Surveyors, shall themselves receive and grant applications for certified copies of any serial number (entry) in the record of rights, register of mutations (Property Register) or of tenancies, or of a map of a survey number or sub-division thereof.

(2) The Collector may, in his discretion in respect of his whole district or any part thereof, also empower village accountants to receive and grant applications for certified copies of village forms, Nos. (old) 1, 3, 5, 6, 9, 11, 13, 14 and 18 ; (new) Nos. I, III, VII-XII combined, VIII-A and B, IX, XI, XII, XIV and XV, and of orders for levying miscellaneous land revenue.

(3) Such copies shall after comparison with the original be certified by the accountant as true, and given to the applicants direct within ten days from their application.

138. *Mamlatdars generally to grant certified copies of village papers.*—Except as provided in rule 137 every application for a certified copy of any public document in the charge of a village accountant shall be made to the Mamlatdar to whom he is subordinate, who shall cause the copy to be prepared, compared with the original, and signed in token of correctness by the village accountant. The copy shall then be certified and made over to the applicant by the Mamlatdar.

139. *Officers in charge of document generally to grant certified copy.*—In all other cases the officers in charge of any public document described in rule 135 shall, and in the case of any public document or portion thereof other than those described in rule 135 may, cause to be prepared and give certified copies of the same or of any portion thereof under his own signature to any person applying for such copy on payment of the fees thereinafter prescribed: The officer in charge of a map of a survey number or sub-division of a survey number prescribed under clause (*a*) of section 135-B on the basis of survey by plane-table shall, at the written request of an applicant, and on payment of the additional fees hereinafter prescribed in this behalf, cause the scaled-off perimeter measurements to be shown on the copy of such map to be given to the applicant after first recording these measurements on the original, and shall clearly state both on such copy and on the original that the measurements shown are not the measurements taken in the field (bandh-maps) but have been scaled off the plane-table plan in the office.

Provided that (*a*) no copy shall be granted of any record, map or plan which has been printed or lithographed and published under the authority of the State Government and is on sale; but small extracts of not more than five fields or plots may be granted under rule 142 (5B) and (6);

(*b*) that no copy of any document is to be given in any case in which the grant would be prejudicial to the public interest.

140. *Receipt to be endorsed on copy.*—On every certified copy or extract granted under these rules and delivered otherwise than through the agency of the value payable post there shall be endorsed by the officer who receives the fees for the same a receipt in the following form:—

Received Rs. as. as fee for this certified copy.

Dated of 19

(Signed) A. B.

140-A. *Officers in charge of certified copies to grant true copies of such copies.*—Notwithstanding anything contained in rules 136 to 140 every officer in charge of a certified copy of any public document shall on an application made to him by any person prepare and give to him a true copy of such certified copy of the document under his own signature on payment of the fees hereinafter prescribed. On every such copy it shall be clearly stated by such officer that it is a true copy of the certified copy of the document. When such copy is delivered otherwise than through the agency of the value payable post there shall be endorsed on it by the officer who receives the fee for the same a receipt in the following form:—

Received Rs. as. , as fee for this true copy of the certified copy.

Dated of 19

III.—Searches.

141. *Search fees when to be charged.*—When an application is made for an inspection or copy of any public document or of any portion of a public document and such application does not distinctly describe the number, date and nature of the document required; or if the description given in such application is incorrect, and it shall in consequence be necessary for the officer in charge of the document to search his records in order to find it, a fee, at the rate hereinafter prescribed, shall be payable by the applicant for such search whether the inspection or copy for which he applies, on examination of the said document by the said officer, be granted or not.

IV.—Fees.

142. *Fees.*—(*a*) The following fees shall be levied in cash under these rules:—

(1) For an inspection granted under rule 135 for each day on which inspection is made.	Twelve annas an hour for each applicant subject to a minimum of Rs. 1-8-0, to be paid in advance : Provided that a fee of annas 6 per hour subject to the maximum of Rs. 1-8-0 per day, shall be charged for the inspection of any document which is in the charge of a village accountant. Such fee shall be paid in advance.
(2) For every certified copy of a public document not falling under Articles 3, 4 and 5 of this table—	
(*a*) If the original be in English, for every 25 words or fraction of 25 words :	Nine pies.
(*b*) If the original be in the vernacular, for every 33 words or fraction of 33 words :	Nine pies.
(*c*) (*i*) for examining or comparing 100 words or fraction of 100 words, whether the original be in English or the vernacular :	Nine pies.
(*ii*) for comparing copies of maps, etc., under Articles (5), 5 (B), (6) and (7) out of the copy fee there will be credited as comparing fee :	One-fourth.
(*d*) if the original be in a tabular form, whether in English or the vernacular :	Twice the rates, respectively, named in clauses (*a*) and (*b*).
(*e*) if the copy be given on a printed form for every sheet or page of forms used :	Three pies *plus* the fees at the rates herein prescribed for the manuscript additions made on the form.
(*f*) for each form of extract of a City Property Register :	Two annas.

(*g*) when no printed form is supplied or available, for each sheet of foolscap paper used in preparing the copy other than that of a map or plan under Articles (5), 5 (B), (6) and (7) :	Three pies.
(3) For every certified extract from a register of alienations granted under section 53 :	One anna for every rupee of the amount or alienated revenue, or if the sanad lost or destroyed had been granted under Bombay Act IV of 1868 or under section 133, a sum equal to one-half of the survey fee which the holder of the building site included in the sanad would be liable to pay under section 132 if not exempted by the second paragraph of that section: provided that the fee shall in no case exceed Rs. 10 or be less than 8 annas.
(4) For every certified copy of a serial number (or entry) in the record of rights, register of mutations, or either part of the combined form V. F. VII-XII and for every Holding Sheet in V. F. VIII-A (including the printed form), and in villages to which rule 137 (2) applies for every certified copy of each entry in the forms named, or for each khata in the V. F. VIII-B : provided that there shall be no charge for correcting the Holding Sheet at any time during the 5 years for which it is current :	One anna.
(4-A) For every certified copy of the whole of the combined form V. F. VII-XII.	Two annas.
(4-B) (*i*) For every certified copy of the tabular annewari statement of a village with the annewari decision worked out therein.	Five annas.
(*ii*) For every certified copy of the decision of the Collector or Mamlatdar not embodying such a form, or of the opinion of the village committee as to the anna valuation.	Two annas.
(5) For every certified copy of a map of a survey number or sub-division of a survey number or of any (uncoloured) map of any immovable property prepared under clause (*a*) of section 135-G, or of an entry in a City Property Register :	Two annas.

(5-A) For showing the scaled-off perimeter measurements on any certified copy of a map a survey number or sub-division of a survey number under article (5)—	
(*i*) if applied for at the time of the measurement of the survey number or sub-division of a survey number.	Two annas.
(*ii*) if applied for at any time thereafter.	Four annas.
(5-B) Subject to proviso (*a*) to rule 139 for every certified copy of a map or plan of a non-agricultural survey number or sub-division of such survey number in the Bombay Suburban District.	
(6) Subject to proviso (*a*) to rule 139 for every other certified copy of a map of a survey number or of a sub-division or of a field or of any ordinary (uncoloured) map or plan of any immovable property, or extract of City Survey map, for each field or plot : not falling under article (5-B) of this table.	Eight annas.
(7) For every certified copy of a map or plan or of any portion of a map or plan not falling under Article (5), (5-B) or (6) of this table :	Such fee not exceeding fifteen rupees, and not less than one rupee, as the officer who certifies the copy shall determine : provided that no fee exceeding Rs. 5 shall be charged by any officer subordinate to a Collector except with the permission of the Collector, or by an Officer of the Land Records Department except with the permission of the Superintendent of Land Records, to whom he is subordinate.
(7-A) For every true copy of a certified copy.	The same fee as for a certified copy.
(8) For every search.	One rupee for each year of which the records are searched :
	Provided that in the case of the Alienation Office Records a fee of Rs. 5 shall be charged for each Rumal searched subject to a nmiimum of Rs. 5 for every such search.

(9) For every authenticated translation of orders, and the reasons therefor, and of exhibits in formal or summary inquiries under the Code :—	
(*a*) for the first 100 or fraction of 100 words :	Eight annas.
(*b*) for every subsequent 100 or fraction of 100 words :	Four annas.

Provided that—

(*a*) when any fee is required to be recovered through the agency of the value payable post, postage and postal commission shall be levied in addition, and when the total amount of fee together with postage and commission includes a fraction of an anna a whole anna shall be levied in place of the fraction :

(*b*) any revenue officer shall be entitled to receive free of any charge a certified copy of the final order recorded in his own case under section 33.

(*aa*) A surcharge of 25 per cent. shall, with effect from 1st October 1947, be levied on all copying, comparing and translation fees leviable according to rule 142(*a*) and added to the total charges for the preparation of certified copies.

(*b*) While recovering copying and comparing fees, any amount less than six pies shall be remitted, and six pies or more shall be rounded to the extent of whole anna.

143. *Fees how to be paid.*—Every fee payable in accordance with the foregoing table shall either be paid in advance or recovered in pursuance of a specific request through the agency of the value payable post.

V.—Miscellaneous.

144. *Application how to be made.*—Every application must be made in writing and except in the case of an application for inspection made to a village accountant must be duly stamped. The application may contain a request that the copy, extract, or translation, be forwarded by value payable post (unregistered book-packet) to any Post Office which is also a Money Order Office.

145. *Stamp duty or court-fee payable in addition.*—Nothing in these rules affects the provisions of the Stamp Act (II of 1899) or Court Fees Act (VII of 1870). The Stamp duty or court-fee with which an application, copy or extract made or furnished under these rules may be chargeable is in addition to the fees prescribed herein and care is to be taken that the requirements of the Stamp Act and Court Fees Act are properly fulfilled in respect of every such application, copy or extract.

FORM A.

[Rule 19-A(*ii*).]

Rainfall recorded at , district , for the years

Year.	Early rain (1st January to 10th April).		Ante-monsoon (11th April to 4th June).		Monsoon Kharif (5th June to 14th August).		Monsoon Rabi (15th August to 21st October).		Late rains (22nd October to 31st December).		Total.		Remarks.
	Fall. Inches.	Rainy days. No.	Fall. Inches.	Rainy days. No.	Fall. Inches.	Rainy days. No.	Fall. Inches.	Rainy days. No.	Fall. Inches.	Rainy days. No.	Fall. Inches.	Rainy days. No.	
Average ..													

N. B.—The statistics should be collected for the last 30 years.

FORM A-1.

[Rule 19-A (*vi*).]

Details of population according to occupation.

Agricultural population.				
Having interest in land.		Labourers.	Total.	N. A. population.
Tenants and sub-sharers.	Other land holders.			
1	2	3	4	5

N. B.—The figures at the time of the last settlement should first be given. Below them the latest figures available should be mentioned.

FORM A-2.

[Rule 19-A (*vii*).]

Agricultural stock of the *Government villages in the* *Taluka*

of the *District*

During the year 19

Number of villages.	Cattle.			
	For plough.		For breeding.	
	Oxen.	He Buffaloes.	Bulls.	Bull Buffaloes.
1	2	3	4	5

Cattle—*contd.*						Total.
For other purposes.		Milch cattle.		Young stock.		
Oxen.	He Buffaloes.	Cows.	She Buffaloes.	Calves.	Buffalo calves.	
6	7	8	9	10	11	12

Horses and ponies.	Sheep.	Goats.	Plough.		Carts.		Cropped land per pair of plough cattle. Acre.
			Small.	Large (i.e. of over 2 cattle.)	For passengers.	For produce and goods.	
13	14	15	16	17	18	19	20

N.B.—Figures at the time of the last Settlement should first be given. Below them the latest figures available should be mentioned.

FORM A-3.

[Rule 19-A (*viii*).]

Details of cultivation and crops of the Taluka of the District for the year.

Number of villages in each group.	Cultivated and uncultivated area					
	Gross area sown (T F. XX).	Deduct twice cropped area.	Deduct unassessed land sown.	Net assessed cropped area.	Add fallow land.	Total area occupied for cultivation.

Cultivated and uncultivated area—*contd.*					Details of column 2. Cereals and pulses.					
Cultivable waste unoccupied.			Not available for Cultivation.							
Assessed.	Unassessed.	Forest.	Other including uncultivable.	Gross area.	Rice.	Wheat.	Barely.	Juwar.	Bajri.	Ragi.	Maize.

(*contd.*)

FORM A-3—(*contd. from page 91*)

	Details of column 2. Cereals and Pulses—(*contd.*)										
	Gram.	Mug.	Udid	Math.	Val.	Chawali.	Kulthi.	Watana.	Masur.	Other Cereals and Pulses.	Total.

Condiments and Speces.

Cardamom.	Chillis.	Ginger.	Turmeric.	Fennel.	Coriander.	Cummin.	Garlic.	Others.

(*contd.*)

FORM A-3—(*contd. from page 92*)

	Starches—Arrowroot.	Sugars.		Oil Seeds.					
		Cane.	Palm trees.	Linseed.	Til.	Rape and Mustard.	Groun d nut.	Cotton seed.	Cocoa-

	Oil Seeds—(*contd.*)			Fibres.				Dyes	
Safflower	Nigerseed	Others	Total	Cotton.	Bombay hemp.	Hemp	Others	Indigo	Others

(*contd.*)

FORM A-3—(*concluded from page 93*)

	Drugs and Narcotics.								Fodder.
	Coffee.	Tea.	Tobacco.	Indian Hemp (Ganja).	Betel leaves.	Betel nut.	Ajwan.	Total.	

Fruits and vegetables including root crops.		Miscellaneous.		Grass and Babuls.	Fallow details (as required).					Remeks
Gavar.	Others.	Food.	Non-food.		Short rain.	Prickly pear and weeds.	Salt efflores-cence.	True Rotation fallow.	Total.	

FORM A-4.

[Rule 19-A(*viii*).]

Details of occupied, cultivated, fallow, etc., lands in the villages of the taluka, district , year by year from to .

Year.	Total.	Occupied area of which		Government waste.	Forest.	Other.	Gross area.	Remark.
		Cultivated.	Fallow.					
1	2	3	4	5	6	7	8	9

N.B.—Figures for the last 30 years should be given.

FORM A-5.

[Rule 19-A(*ix*).]

Statement showing agricultural wages prevalent in *Taluka,*

district *from* *to*

Years.	Agricultural wages.
	Rs. a. p.

N.B.—Figures for the last 30 years should be given.

FORM A-6.

[Rule 19-A(*x*).]

Prices prevalent in the *Taluka, District*

from *to*

Year.	Retail prices.			Wholesale prices.						
	Seers of 80 Tolas per Rupee.			Rupees per Maund of 3,200 Tolas.						
	[For crops grown in the Taluka and referred to in Rule 19-1].									
1	2	3	4	5	6	7	8	9	10	11

N.B.—Figures for the last 30 years should be given.

FORM A-7.

[Rule 19-A (*xiii*).]

Leases of $\frac{\textit{dry crop}\dagger}{\textit{rice}\ /\ \textit{garden}\ /\ \textit{mixed}}$ *lands in the villages of the Táluka District.*

Serial Number in Form A-9.	Name of Village.	Area of land leased.	Assessment.	Rent.	Percentage of rent represented by the assessment.	Remarks.
	Group I ..					
	Averages per acre					
	Group II ..					
	Averages per acre					
	Group III ..					
	Averages per acre					
	Total for taluka.					

†*N.B.*—Information about dry crop, rice, garden lands, etc, should be compiled in separate forms.

FORM A-8.

[Rule 19-A (*xiv*).]

Selling value of $\frac{\text{dry crops}}{\text{rice}}$ § $\frac{\text{garden}}{\text{mixed}}$ *lands in the Villages of the*

Taluka, *District*

Serial number in Form A-9.	Name of village.	Area of and sold.	Assessment.	Sale price.	Number of times the assessment represented by the price.	Remarks.
	Group I.					
	Averages per acre.					
	Group II.					
	Averages per acre.					
	Group III.					
	Averages per acre.					
	Total for taluka.					

§*N.B.*—Information about dry crop, rice, garden lands, etc., should be complied in separate forms.

FORM A-9.

(Rule 19-B.)

Effect of Revision Settlement proposals on Government occupied land in the taluka of in the district of

Serial No.	Name of village.	By former Settlement.			
		No. of Group.	Standard rates.		
			Dry crop.	Rice.	Garden.
1	2	3	4	5	6

By former Settlement.					
Dry crop.			Rice.		
Area.	Assessment.	Average.	Area.	Assessment.	Average.
7	8	9	10	11	12

By former Settlement—*contd.*

Garden.			Total.		
Area.	Assessment.	Average.	Area.	Assessment.	Average.
13	14	15	16	17	18

By Revision Settlement.

Standrad rates.			Dry crop.		
Dry crop.	Rice.	Garden.	Area.	Assessment.	Average.
19	20	21	22	23	24

(*contd.*)

FORM A-9—(*concluded*)

By Revision Settlement—*contd.*

Rice.			Garden.		
Area.	Assessment.	Average.	Area.	Assessment.	Average.
25	26	27	28	29	30

By Revision Settlement—*contd.*

Total.			Percentage increase or decrease.	Name of village.	Serial No.
Area.	Assessment.	Average.			
31	32	33	34	35	36

FORM A–10.

(Rule 19-D.)

Notice under section 117J(2) of the Bombay Land Revenue Code, 1879.

Notice about the standard rates proposed by the settlement officer.

It is hereby made known to the people of the undermentioned villages of taluka District that the revision of the assessment of the lands of the said villages used for agriculture is about to be effected and that it is proposed to divide the said villages into the following groups the existing and proposed standard rates in each group being as shown, against it in the following list:–

	Name of villages in the group.	Standard rates according to existing settlement, per acre.			Standard rates proposed by revision settlement, per acre.		
		Dry crop.	Rice.	Garden.	Dry crop.	Rice.	Garden.
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Group I ..							
Group II ..							
Group III ..							

Reasons for alteration in the rates:

The result so far as the village of is concerned is that the assessment in the village is $\frac{\text{raised}}{\text{lowered}}$ by annas in the rupee.

A copy of the translation of the Settlement Officer's report together with its appendices is also posted along with this notice in the $\frac{\text{village chavdi}}{\text{other public place}}$ and at the taluka kacheri and is open to the inspection of any person interested.

Any person may submit to the Collector objections in writing to the proposals contained in the settlement report within three months from the date of this notice.

Any person feeling aggrieved by the Report may within a period of two months from the date of this notice apply to the State Government to refer the report to the Bombay Revenue Tribunal after depositing a sum of Rs. 100 in a Government Treasury on account of costs.

Dated

Collector

FORM A-11.

(Rule 19-G.)

Notice under section 117-O of the Bombay Land Revenue Code, 1879.

Whereas the Government of Bombay has been pleased to sanction, under sub-section (2) of section 117-L of the Bombay Land Revenue Code, 1879, the $\frac{\text{revised}}{\text{original}}$ settlement of assessment of such lands as are now actually used for the purposes of agriculture alone and of unoccupied cultivable lands (but excepting lands classed,

as pot kharab) in the village / below mentioned villages of the taluka, notice is hereby given under section 117-O of the said Code that the said assessments calculated according to the standard rates as noted below / (*in the accompanying Akarband) shall be levied from years from and remain in force for a term of to , §subject to the provisions of para. 4 below.

Class of land.	Standard rate.	†Approximate increase or decrease in the rupee of existing assessment.
	Rs. a. p.	As. pies.
Dry crop		
Rice		
Bagayat		

2. Government hereby reserves to itself the power to assess six months after giving a notice as required by section 117-Q any land to additional land revenue during the term of this settlement for additional advantage accruing to it from water received on account of the construction of new irrigation works or improvements in existing irrigation works completed after the State Government directed the settlement under section 117D but not effected by or at the expense of the holder of the land and for which no water rate is levied under the Bombay Irrigation Act, 1879.

3. Exemption under section 117N (*1*) is hereby granted to all lands / lands noted below from assessment for any advantage / advantage specified below accruing to it from water.

Village.	Kind of land.	Kind of advantage and source of water.

This exemption is liable to be withdrawn after six months' notice as required by section 117N (*2*).

* To be substituted for the word 'below' in original settlements and if the classification basis is altered at the time of revised settlement.

§ The words underlined in para. 1 and the whole of para. 4 may be retained, only when Government directs that the provisions in question shall apply to any settlement.

† Omit in the case of original settlements or when the classification basis is altered at the time of revised settlement.

*4. It is also hereby declared under section 117M(*1*) that the provisions of sub-sections (*2*), (*3*) and (*4*) of 117M shall apply to this settlement and that the standard rates have been fixed with reference to the following prices of the agricultural produce noted below and that the assessments fixed shall be subject to a surcharge or rebate according to variation in the prices of these articles in accordance with rules 19-K and 19-L.

Name of produce.	Price in rupees per maund.

5. In addition to the assessment, a cess not exceeding such rates as may be allowed by law shall be levied under the Bombay Local Boards Act, 1923, or any other law for the time being in force, for the purpose of providing funds for expenditure on objects of local public utility and improvement.

†6. The reservations respecting the right of Government to trees as made by any general notification at the time of, or after the previous survey settlement and reproduced in the margin, or as made byany express [ ] order at the time of such survey settlement and recorded in the Settlement Records, are hereby continued. All other rights over trees are conceded to occupants.

FORM B [Rule 29 (1)].

A FORM OF NOTICE UNDER SECTION 37 (2), AND SUMMONS UNDER SECTIONS 189-190.

To

A. B.

Whereas (*here describe the property or right in or over any property*) is claimed by the State Government (or by C. D. against the State Government) notice is hereby given that an enquiry will be held by me in order to decide the said claim.

You are hereby required to attend before me either in person or by a duly authorized agent at o'clock of the noon (at the site in dispute or) at my office (camp at in the taluka) on the day of 19 at which time and place an enquiry into the same claim will be made.

And you are hereby required to produce before me at the abovenamed time and place any documents or evidence you may wish to be heard.

If you fail to attend in person or by a duly authorized agent in pursuance of his notice the abovementioned claim will be decided in your absence.

Dated this day of 19 .

(Signed)

Desigantion of Officer.

* The words underlined in para. 1 and the whole of para. 4 may be retained only when Government directs that the provisions in question shall apply to any settlement.

†For para. 6 in the case of original settlements substitute the following :—

"6. The right of Government to trees standing in lands which are now occupied is hereby conceded to the occupants thereof subject to the general exceptions entered in the margin and the special exceptions inscribed in the Settlement Record."

FORM C [Rule 29 (2)].

Whereas in accordance with a notice duly issued and served under rule 29(1) of the Land Revenue Rules an enquiry was held by me on
and an order was passed on

Notice is hereby given to all persons concerned and to (*here specify the person to whom this notice is directed*) that my decision and order is that :—(*here summarise he order, and define the property or right to which it relates*).

Dated this day of 19

(Signed)

Survey Officer,

or

Collector.

FORM D (Rule 32).

FORMS OF SANAD FOR REVENUE-FREE GRANTS OF LAND FOR RELIGIOUS, CHARITABLE OR EDUCATIONAL EDIFICES OR INSTITUTIONS.

(SANCTIONED BY G. R. 7010 OF 1905).

(To be used where the land is granted by the State Government).

To

A. B.

Whereas the State Government have been pleased to grant revenue-free to you, *A. B.*, the possession of the below-mentioned piece of land situated in the village of in the taluka for the purpose of

(namely)—

All that piece of land bounded on the North by , on the South by , on the East by ,and on the West by ,and measuring from North to South , and from East to West , comprising square in superficial area, be the same more or less, and bearing No. in the Land Records.

It is hereby declared that the said land shall be continued $\frac{\text{for ever}}{\text{for a term of years}}$ free of all claim on the part of the State Government for rent or land revenue to whoever shall from time to time be the lawful holder or manager of the said , [(a) on the condition that the said land shall in all respects be made ready for and shall be fully used for the purpose or purposes for which it was granted before the day of 19 and that neither the said land nor any building erected thereupon shall at any time, without the express consent of the State Government, be

diverted either temporarily or permanently to any other than the aforesaid purpose, and that no change or modification shall be made of such purpose and that neither the said land nor any building erected thereon shall be so used as to yield a profit to the grantee and that in the event of any such unauthorized diversion, change or modification being made, or in the event of the said land or any building erected thereon yielding a profit to the grantee the said land shall thereupon, in addition to the assessment to which it becomes liable under section 48 of the Bombay Land Revenue Code, 1879, become liable to such fine as may be fixed in this behalf by the Collector under the provisions of section 66 of the said Code, or other corresponding law for the time being in force relating to the recovery of land revenue, as if the land, having been assessed for purposes of agriculture only, had been unauthorizedly used for any purpose un connected with agriculture (a)] and in any such event as foresaid, or in the event of failure to make the land ready for and to use it fully for the purpose or purposes for which it is granted before the aforesaid day of 19 or in the event of the land being required by the State Government for any public purpose, a declaration in respect of which under the signature of the Commissioner that it is so required shall as between the said holder or manager and the State Government be conclusive, or in the event of the land being notified by the State Government for acquisition under Act I of 1894, it shall be lawful for the State Government, on causing six months' previous notice in writing to be given to the said holder or manager, to take one of the two following courses (namely), either—

(1) to require that the said land be vacated and delivered up to the State Government free of all claims or incumbrances of any person whatsoever,

or (2) to resume and take possession of the said land and any buildings, erected or works executed thereon, free of all claims and incumbrances of any person whatsoever, on payment of compensation not exceeding the following amount, namely :—

(*a*) the amount (if any) paid to the State Government for this grant, and

(*b*) the cost or value at the time of resumption, whichever is the less, of any buildings, or other works authorizedly erected or executed on the said land by the said grantee.

**

This grant is made subject to the reservation of the right of Government to all mines and mineral products and of full liberty of access for the purpose of working and searching for the same, with all reasonable conveniences.

This sanad is executed on behalf of the Governor of Bombay by the Collector of , this day of 19 .

(Signed)

Collector.

Seal of the Collector.

** If there be any further conditions, add here the words "and subject to the following further special conditions namely :—"

FORM DD (Rule 32-A).

Form of lease of land granted to educational institutions or local bodies to be used as a playground or for other recreational purposes and for Gymnas [$\frac{ia}{iums}$]

To The Governor of Bombay.

This is to certify that of (hereinafter called "the lessee") has, subject to the provisions of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), and the rules made thereunder and subject of the conditions hereinafter specified, been allowed by the $\frac{\text{Collector of}}{\text{Commissioner}\quad\text{Division}}$ hereinafter called $\frac{\text{"the Collector"}}{\text{"the Commissioner"}}$ on behalf of the Governor of Bombay (hereinafter referred to as "Government"), to occupy, for the purposes of a $\frac{\text{playground}}{\text{gymnasium}}$ and/or for a period of years commencing from the day of 19 (hereinafter called "the said term") a plot of land situated in $\frac{\text{village}}{\text{town}}$ of , taluka , district , bounded on the North by , on the South by on the West by and on the East by bearing $\frac{\text{C. T. S. No.}}{\text{S. No.}}$ and measuring about $\frac{\text{Sq. yds.}}{\text{gunthas}}$ and of the following shape and of the following dimensions as shown in the map hereto annexed.

The conditions of the lease are as follows:—

(1) The lessee shall pay to Government for the said plot of land on the first day of August every year in advance the annual rent of rupee one together with the local fund cess as may be levied thereon from time to time under section 93 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923).

(2) The lessee shall not erect any structure upon the said plot of land save with the previous permission in writing of the Collector.

(3) The lessee shall not use the said plot of land except for the purpose of a $\frac{\text{playground}}{\text{gymnasium}}$ and/or

(4) The said plot of land and all structures thereon shall be subject to municipal taxation and to any taxation for local purposes which is or may hereafter be imposed and shall also be subject to any assessment, tax, cess or any other dues which may be levied in respect of the said plot of land or any of the structures thereon, of the nature contemplated in the second paragraph of section 45 of the Land Revenue Code or any other law for the time being in force.

*(5) In the event of the lessee's† ceasing to be recognised by the $\frac{\text{Educational Department of Government}}{\text{Government}}$ the lease shall be deemed to have terminated.

* To be inserted in case of an educational institution or a gymnasium.
† Name of Educational Institution or Gymnasium, as the case may be, to be inserted.

(6) The lessee shall permit the Government Officers authorised in this behalf by the Collector at all reasonable times to enter upon and inspect any part of the said plot of land.

(7) The lessee shall not sub-let or in any other way encumber the said plot of land or any portion thereof.

(8) If, in the opinion of the Collector, the land is required for the purposes of Government or any local body, the Collector may at any time terminate this lease by giving to the lessee one calendar month's notice in writing.

(9) In the event of the lease being terminated under any of these conditions the lessee shall not be entitled to claim any compensation on account of the termination of the lease. The lessee shall, if the lease is terminated under clause 8, before the expiry of the period of the notice given under that clause and in other cases within such period as the Collector may fix, remove any structure or structures standing on the said plot of land at his own expense and on the expiry of the said period shall deliver possession of the said plot of land to the Collector in the same condition in which it was at the commencement of the tenancy.

(10) The lessee shall at the expiration of the said term deliver quiet and peaceful possession of the said plot of land to the Collector in the same condition in which he took it, unless the lease is renewed for a further term upon such conditions as the Collector with the approval of the Commissioner / Commissioner thinks fit.

(11) Failure to comply with any of the above conditions of the lease or with any provisions of the said Land Revenue Code or of the Rules thereunder shall render this lease liable to cancellation by the Collector, who may thereupon resume the said plot of land and summarily evict the lessee without notice or payment of any compensation whatever or may, in lieu of such resumption and without imposing any further penalty, order the removal within a period fixed by him of any building erected thereon contrary to condition (2) of this lease and on such removal not being carried out within the said period may cause the same to be carried out at the expense of the lessee; and it shall be in the sole discretion of the Collector, subject to the orders of Government or the Commissioner, to adopt either one or other of the above remedies as may seem desirable to him under the circumstances.

(12) In this lease the words "the lessee" shall include the lessee, his heirs, successors, legal representatives and permitted assigns and the word "Collector" shall include the Collector of the District for the time being and any other officer whom Government may appoint to exercise the powers of the Collector under this lease.

This lease is executed on behalf of the Governor of Bombay by and under the hand and seal of the Collector of the District, this day of one thousand nine hundred and

Signed

Collector

In the presence of—

(1)

(2)

Seal.

Accepted by me

Annexure : Map.

FORM E (Rule 35).

(To be used where the land is not granted by the State Government.)

To

A. B.

Whereas, in consideration of your having built (or undertaken to build, *as the case may be*)* for a public/charitable purpose, namely on the piece of land hereinafter described, which is your property, the State Government have been pleased, at your request, to exempt the said piece of land from liability to rent or land revenue.

It is hereby declared that the said land shall be continued $\frac{\text{for ever}}{\text{for a term of years}}$ free of all claim on the part of the State Government for rent or land revenue to whoever shall, from time to time be the lawful holder or manager of the said , [Insert "(*a*).....(*a*)" as in Form D.] [If there be any further special conditions, here add : "and subject to the following further special conditions, namely" :—]

The piece of land herein referred to is situated in the village of in the taluka, and is bounded on the North by , on the South by , on the East by and on the West by , and comprises about square in superficial area, be the same more or less, and bears No. in the Land Records.

This sanad is executed on behalf of the Governor of Bombay by the Collector of , this day of 19 .

Seal of the Collector.

(Signed)

Collector.

FORM F (Rules 37, 43 and 52).

FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING TO BECOME OCCUPANTS.

To the Mamlatdar of

I, *A. B.*, inhabitant of in the taluka, hereby accept the right of the occupation of the land comprised in Survey No. (or of the building site hereinbelow described, or otherwise as the case may be), in the village of in the taluka, and I pray that my name be entered in the Government records as the occupant of the said land.

*The nature of the building and the extent of the public interest in it should be clearly set forth, as for instance "a temple with a Dharmashala attached, for the use of the Digambar Jain community."

The said land has been granted to me subject to the provisions of the Bombay Land Revenue Code, 1879, and of rules in force thereunder, in perpetuity†, from the day of 19 ; §and I undertake to pay the land revenue from time to time lawfully due in respect of the said land (or I undertake, whenever the State Government shall see fit to discontinue the exemption of the said land from payment of land revenue, to pay such revenue as may be lawfully imposed thereupon under the orders of the State Government or otherwise as the case may be).

If I contravene any of the conditions of the grant, the Collector may, without prejudice to any other penalty to which I may be liable under the provisions of the said Code—

(*a*) continue the said land in my occupation on payment of such fine and/or assessment as he may direct; and

(*b*) direct the removal or alteration of any building or structure erected or used contrary to the conditions of the grant within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period, cause the same to be carried out and recover the cost of carrying out the same from me as an arrear of land revenue.

Dated the day of 19 at
Written by (Signed) *A. B.*

We declare that *A. B.*, who has signed this agreement, is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) *C. D.*
(,,) *E. F.*

We declare that to the best of our knowledge and from the best information we have been able, after careful inquiry, to obtain the person who has passed this agreement is a fit person to be accepted by the State Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) G. H., Patel.
(,,) *I. J.*, Village Accountant.

This clause shall be inserted only in cases in which agreement is taken for grant of land for building sites.

FORM F-1 [Rule 37 (4)].

FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING TO BECOME OCCUPANTS OF LAND ON IMPARTIBLE TENURE.

To the Mamlatdar of
I, A. B., inhabitant of in the taluka, hereby accept the right of occupation of the land comprised in Survey No. , in the village of in the taluka and I pray that my name be entered in the Government records as the occupant of the said land.

† When not granted in perpetuity delete the words and insert " until the day of 19 ".
§ When land is sold for a fixed period free of land revenue the agreement should end here, and the second endorsement may be omitted.

The said land has been granted to me in perpetuity from the day of 19 , subject to (1) the provisions of the Bombay Land Revenue Code, 1879, and of the rules in force thereunder and to (2) the further condition that I, my heirs, assigns and legal representatives shall not at any time by partition, inheritance, lease, mortgage or otherwise howsoever transfer the said land except as a whole or allow any portion of it to be cultivated, used, or occupied by any other person so as to divide it.

If I fail to perform any of the aforesaid conditions I shall be liable without prejudice to any other penalties that I may incur under the said Code, and the rules made thereunder, to have the said land summarily forfeited by the Collector, and I shall not be entitled to claim compensation for anything done or executed by me in respect of the said land.

*And I undertake to pay the land revenue from time to time lawfully due in respect of the said land (or I undertake, whenever the State Government shall see fit to discontinue the exemption of the said land from payment of land revenue to pay such revenue as may be lawfully imposed thereon under the orders of the State Government or otherwise, as the case may be).

Dated the day of 19 .

Written by

(Signed) *A. B.*

We declare that A. B., who has signed this agreement is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) C. D.
(,,) E. F.

We declare that, to the best of our knowledge and from the best information which we have been able after careful inquiry to obtain, the person who has passed this agreement is a fit person to be accepted by the State Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) G. H., Patel.
(,,) I. J., Village Accountant.

FORM G-1 (Rule 39) (as amended by G. 11514-11).

RECLAMATION LEASE.

Form of lease to be granted to an occupant who takes up land on special terms.

This is to certify that, with the previous sanction of the Commissioner, of has been granted the right of occupation of survey No. in the village of in the taluka for a term of years from the day of 19 , subject to the payment of land revenue as follows (viz.):—

(*a*) for the first years, A.D. 19 to 19 , nil;

*When land is sold for a fixed period free of land revenue the agreement should end here, and the second endorsement may be omitted.—G. R. 4702/24-III of 12-3-1931.

(*b*) for the next years, A. D. 19 to 19 , a reduced assessment of Rs.

The reason for the grant of the said land on the favourable terms aforesaid is that the lessee has undertaken, at his own expense, within a period of from the day of 19 , to carry out to the satisfaction of the following work, whereby the cultivation of the said survey No. will be improved (or rendered feasible *or otherwise as the case may be*), viz. :—

(*Here describe as accurately as possible the work to be executed.*)

The conditions on which this lease is granted are :—

(1) that the lessee shall completely execute the work aforesaid to the satisfaction of the said within the period above mentioned;

(2) that he shall keep the said work when executed in good order and repairs to the satisfaction of the said until the expiry of this lease;

(3) It shall not be lawful to the lessee to partition, bequeath, alienate, assign, mortgage or otherwise charge or encumber any portion of the said land less than the area hereby fixed by the Collector as the economic holding, nor shall any such portion of the said land be liable to seizure, sequestration, attachment, sale or partition by process of a court;

(4) that if the lessee shall fail to perform any of the aforesaid conditions he shall be liable, notwithstanding anything hereinbefore written, to pay the full assessment of the land comprised in this lease amounting to Rs. , for the year or years during which such failure shall take place and it shall be open to the Collector either to cancel the remaining portion of the lease and re-enter upon the land, or to levy full assessment from the lessee for every subsequent year of the term of this lease;

(5) that provided the lease shall not have previously determined under the last preceding condition, the lessee shall be entitled, on the expiry of this lease, to retain the occupation of the land herein comprised, subject to the payment of the full assessment from time to time fixed thereupon under the law and rules in force in this behalf, on his executing an agreement in the form prescribed for persons who intend to become occupants.

This lease is executed on behalf of the Governor of Bombay by the Collector of and under his seal of office, this day of 19 .

Seal.

(Signed)

Collector.

I the aforesaid lessee do hereby accept this lease in the terms and conditions therein mentioned.

Signed by

Lessee.

in the presence of—

FORM G-2 (Rule 40).

RECLAMATION LEASE.

This indenture made the day of 19 between the Governor of Bombay (hereinafter called the Lessor) of the one part and inhabitant of (hereinafter called the Lessee) of the other part WITNESSETH that the Lessor doth hereby lease unto the Lessee all the Salt Marsh Lands situated in the village of in the Registration sub-district of and in the taluka, the Survey Numbers, Area and Boundaries of which are set forth in Schedule A hereunder written which said Lands were let in the occupation of and are now in the occupation of and are delineated in the Plan attached hereto and signed by the Collector of (hereinafter referred to as the Collector) TO HOLD the said Lands unto the Lessee for the term of 999 years from the day of 19 , paying during the said term unto the Lessor for the said lands save such portion as may be appropriated for Public Roads which portion shall be exempt from payment the yearly Rents following that is to say for the first ten years of the said term the Rent of One Pie if demanded and for the next 20 years, viz., from the day of 19 , till the day of 19 a yearly sum equal to Four annas *per* Acre in such Instalments on such Dates and to such Person as may be from time to time prescribed and designated by the Collector and for such Period if any as shall intervene between the day of 19 , and the date of the first settlement of Assessment hereinafter provided for the yearly sum hereinbefore lastly reserved payable in the manner hereinbefore mentioned AND from and after the first settlement of Assessment hereinafter provided for such sum of Land Revenue as under the Laws or Rules having the force of Law for the time being in force in respect of lands held under Government by ordinary Occupants shall from time to time be found to be payable AND the Lessee hereby covenants and agrees with the Lessor in manner following that is to say FIRST that the Lessee shall at his own expense and with due diligence completely reclaim the lands hereby leased so as to be in a state fit for use for agricultural purposes AND shall so reclaim at least one-half of the said lands within ten years and the whole thereof within twenty years from the day of 19 , respectively and shall maintain such Reclamation during the residue of the term hereby granted AND shall not until the whole of the said Lands shall have been completely reclaimed and rendered cultivable assign or underlet the said Lands or any portion thereof or charge or receive any Tax or Fee for Cattle-grazing upon any portion thereof without the previous consent in writing of the Collector. And that the lessee shall not at any time partition, bequeath, alienate, assign, mortgage or otherwise charge or encumber or allow to be cultivated, used or occupied by any other person, any portion of the said land less than the area—hereby fixed by the Collector as an economic holding in respect of the said lands nor shall any such portion of the said land be liable to seizure, sequestration, attachment, sale or partition by process of a Court. PROVIDED that if any Government Officer duly empowered

in this behalf by the Government of Bombay shall certify in writing that any portion of the said Lands is unreclaimable such portion shall be excluded from the operations of the covenants hereinbefore contained. Provided further that the lessees shall be at liberty during the first ten years to relinquish any portion of the said lands which he cannot reclaim : and such portion shall thereupon be excluded from the operation of the covenants herein contained SECOND that the Lessee shall at his own expense (*a*) keep open the several Roads mentioned and described in Schedule B hereunder written and delineated in the Plan hereunto annexed (*b*) provide and keep in good order to the satisfaction of the Collector such water-ways in and along the Lands hereby leased as may from time to time be required by the Collector (*c*) erect such new Boundary-marks upon the said Lands as may from time to time be required by the Collector and maintain and keep in good repair to the satisfaction of the Collector all such new Boundary-marks as well as all those at present existing thereon, THIRD that the said Lessee shall pay the rents hereinbefore respectively reserved at the times and in manner hereinbefore provided for payment of the same respectively and that whenever any Instalment of the said Rents respectively shall be in arrear, it shall be recoverable from the Lessee as an arrear of Land Revenue under the provisions of the Law for the time being in force in that behalf AND the Lessee shall also pay all Rates, Taxes and other Outgoings (if any) which shall at any time during the continuance of this Lease be payable in respect of the said Premises or any part thereof, FOURTH that from and after the day of 19 the Lands hereby leased shall be liable to be from time to time surveyed and assessed to the Land Revenue under the Laws or Rules having the force of Law for the time being in force in respect of Lands held under Government by ordinary occupants and thenceforward during the residue of the term hereby granted the Lessee shall hold the said Lands subject to all the provisions of such Laws and Rules and subject also to such of the Covenants and Provisions of this Lease as shall then be capable of continuing effect PROVIDED ALWAYS AND IT IS HEREBY AGREED that if and whenever there shall be a breach by the Lessee of any Covenant, Condition or Provision herein contained the Lessor may re-enter upon the said Lands or upon part thereof in the name of the whole and thereupon this Lease shall determine AND that in case default shall be made in reclaiming the half or the whole of the Lands within the periods respectively hereinbefore prescribed in that behalf the Lessor may re-enter upon the said Lands and determine this Lease under the power in that behalf hereinbefore contained and that if in the opinion of the Collector (whose decision shall be final) the reclamation is not carried on with due diligence during the two years ending on the day of 19 the Lessor may on or after the said day re-enter upon the said Lands and determine this Lease under the power in that behalf hereinbefore contained AND that notwithstanding anything hereinbefore contained if at any time any portion of the said Lands (other than such portion as may be appropriated for Public Roads) is after being reclaimed used for any purpose unconnected with agriculture, such portion shall be liable to such assessment or altered assessment as may be leviable under the Law or Rules having the force of Law for the time being in force in respect of land which is held for agricultural purposes and subsequently used for purposes unconnected with agriculture and such assessment or altered assessment shall be leviable notwithstanding that any of the periods hereinbefore specified shall not have elapsed AND that the right of the said Lessor to all Mines and Mineral Products and of full liberty of access for the purpose of working and searching for the same with all reasonable conveniences shall be reserved.

AND IT IS LASTLY AGREED that the word "Lessor" in this Lease shall mean the Lessor and his Successors and Assigns and the word "Lessee" shall mean the Lessee and his Legal Representatives.

In witness whereof Esq., Collector of , has, hereunto set his hand and affixed his official seal on behalf of the Governor of Bombay and the Lessee has hereunto set his hand the day and year first above written.

Schedule A above referred to:

Schedule B above referred to:

Signed by the above named
in the presence of _____
_____

Seal of the Collector.

Signed by the above named
in the presence of _____
_____

FORM H (Rule 43).

ALTERNATIVE FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING TO BECOME OCCUPANTS, IF THE COLLECTOR SO REQUIRES.

Agreement.

To

The Mamlatdar of

I. A. B., of in the said taluka, agree on behalf of myself and my assigns to occupy the land specified in the Schedule appended hereto on the conditions stated below, and I pray that my name may be entered in the land records as occupant of the said land.

Conditions.

1. I will pay the land revenue from time to time lawfully due in respect of the said land, to wit: as assessment the sum of Rs. (being at the rate of per) for the period of years commencing on , and thereafter I will pay such assessment for such further periods as may from time to time be fixed by lawful authority.

2. Within a period of two years from the date hereof, or within such further period as may be fixed by lawful authority, I will erect on the said land a building (or buildings) of a substantial and permanent character, and of the following

description, and such building (or buildings) will cover not more than one-fourth of the total area of the said land.

(*Here enter description.*)

3. The provisions of the Bombay Land Revenue Code, 1879, and all rules and orders for the time being in force thereunder, shall apply to my occupation of the said land, so far as the same may be applicable and not inconsistent with these conditions.

4. (*a*) Subject to the foregoing conditions I shall be entitled to occupy the said land in perpetuity but if I contravene any of the foregoing conditions the Collector may continue the said land in my occupation on payment of such fine and/or such assessment as he may direct.

(*b*) Notwithstanding anything contained in sub-clause (*a*) above, it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out of the same from me as an arrear of land revenue.

The Schedule.

Dated the day of 19

Written by (Signed)

[Declaration, if necessary.]

Then follows the Plan.

NOTE.—This agreement is exempt from Court-fee under item C (24) of the Notification of the Government of India, 4650—10—9—89.

It is also exempt from the payment of stamp duty, under item A-9 of Notification of Government of India, No. 3616, Exc.—16-7-09.

FORM HH.

FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING TO BECOME OCCUPANTS OF LAND INCLUDED IN A DEVELOPMENT SCHEME OR IN OTHER SPECIAL CASES (*vide* RULE 43).

Agreement.

The Special Mamlatdar,
The Mamlatdar, , taluka..... District.....

I, A. B., of agree on behalf of myself and my heirs, executors, administrators and assigns to occupy the land specified in the schedule appended hereto (hereinafter referred to as the said land) on the conditions stated below, and I pray that my name may be entered in the land records as occupant of the said land :—

Conditions.

(1) I will pay the land revenue from time to time lawfully due in respect of the said land to wit : as assessment the sum of Rs. (being at the rate of per or at such lower rate as is leviable under the rules

for the time being in force and applicable to such land) for the period of years commencing on and thereafter, I will pay such assessment for such further periods as may from time to time be fixed by lawful authority.

(2) *Use.*—I will use the said land only for building purposes of the nature specified in condition (3) of this agreement.

(3) *Building.*—I will erect and complete on the said land* of a substantial and permanent description; I will in regard thereto duly comply in every respect with the building regulations contained in clauses , etc., of the second schedule hereto ;† (and I will not use, or permit the use of, any of the buildings erected or to be erected on the said land as a shop, or carry on in any of the said buildings any trade or business, other than).

§(4) *Reservation of margin.*—If at any future date the Collector shall give me notice in writing that a strip from the margin of the said land not more than feet in depth is required by the State Government for the purposes of a road, I will, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such strip to the Collector in consideration of receiving from the State Government in exchange and as full compensation therefor a sum equivalent to ( ) times the assessment proportionately payable upon the strip so surrendered.

Provided that, where the materials of any gate, wall, pavement or other such authorised erection or construction on such strip cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to me as the Collector may deem fit.

(5) *Liability of rates.*—I will pay all taxes, rates and cesses leviable in respect of the said land.

(6) *Code provisions applicable.*—The provisions of the said Code and all rules and orders for the time being in force thereunder shall apply, to my occupation of the said land, so far as the same may be applicable and not inconsistent with the conditions of this agreement.

(7) *Penalty clause.*—(*a*) If I contravene any of the foregoing conditions, the Collector may, without prejudice to any other penalty to which I may be liable under the provisions of the said Code continue the said land in my occupation on payment of such fine and/or assessment as he may direct.

(*b*) Notwithstanding anything contained in sub-clause (*a*) above, it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out the same from me as an arrear of land revenue.

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* Here insert description of the buildings such as "a residential bungalow and outhouses."

† To be scored out in areas where business premises are permitted.

§ To be omitted where not required.

MAP.

Schedule I.

Length and Breadth.		Total Superficial area.	Boundaries.				Remarks.
North to South.	East to West.		North.	South.	East.	West.	

Schedule II.

(The number of the conditions which are applicable should be entered in condition 3 of the grant; and special conditions should be inserted in continuation.)

1. Buildings may be erected only within the area marked on the map annexed and the remaining area of the said land shall be left as an open space.

2. "Two thirds" of the said land shall ordinarily be left open to the sky and only "one-half" when the land is in the Collector's opinion of a very high value or the buildings are likely to be inhabited by the poorer classes or in areas already densely built over such as bazars and the central parts of towns where the values of lands are very high.

3. No latrine, cesspool or stables shall be constructed on the said land in any place which shall not have been approved for such purpose by the Collector or an officer authorised by him.

4. No building shall be erected in the said land with more than a ground floor and one upper storey.

5. The building erected on the said land shall be used for residential purposes only.

6. No building erected on the said land shall be used as a factory or as a place for carrying on an offensive trade.

7. The grant shall be subject to the following special conditions :—

(*a*)
(*b*) etc. etc.

Dated the day of at

(Signed) A. B.

We declare that A. B. who has signed this agreement, is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto, in our presence.

(Signed) E. F.
G. H.

N. B.—1. This document need not be registered.
2. This document is exempt from stamp duty.

FORM I [Rules 37 (3) and 43 (3)].

CLAUSE FOR INALIENABLE TENURE ADDITIONAL TO FORMS F AND H OR OTHER AGREEMENTS.

In cases where the land is granted subject to the conditions that the occupant shall not transfer it in any way to another person without the sanction of the Collector, the following clause should be added in the agreement to be taken from him :—

" The said land has been granted to me subject to the condition to which I hereby assent, namely, that I, my heirs, executors, administrators and approved assigns may not at any time lease, mortgage, sell or otherwise howsoever encumber the said land or any portion thereof without the previous sanction in writing of the Collector. "

FORM I-1 [Rule 37 (4)].

FORM OF AGREEMENT TO BE PASSED BY PERSONS INTENDING TO BECOME OCCUPANTS OF LAND ON THE INALIENABLE TENURE.

To the Mamlatdar of

I, A. B., inhabitant of in the taluka, hereby accept the right of occupation of the land comprised in survey No. [or of the building site hereinafter described or otherwise, as the case may be], in the village of in the taluka and I pray that my name be entered in the Government records as the occupant of the said land.

The said land has been granted to me in perpetuity from the day of 19 subject to the conditions hereinbelow mentioned and to the provisions of the Bombay Land Revenue Code, 1879, and of the rules in force thereunder ;

*And I undertake to pay the land revenue from time to time lawfully due in respect of the said land (or I undertake, whenever the State Government shall see fit to discontinue the exemption of the said land from payment of land revenue, to pay such revenue, as may be lawfully imposed thereon under the orders of the State Government or otherwise, as the case may be).

The said land has been granted to me subject also to the further condition to which I hereby assent, namely, I, my heirs, assigns and legal representatives shall not at any time—

(1) partition the said land ;

or

(2) lease, mortgage or otherwise howsoever encumber the said land or any portion thereof without the previous sanction of the Collector, which shall not be given except in respect of the whole land.

If I fail to perform any of the aforesaid conditions I shall be liable without prejudice to any other penalties that I may incur under the said Code, and the rules

*When land is sold for a fixed period free of land revenue this paragraph should end here, and the second endorsement may be omitted.

made thereunder, to have the said land summarily forfeited by the Collector, and I shall not be entitled to claim compensation for anything done or executed by me in respect of the said land.

Dated the day of 19 at
written by (Signed) A. B.

We declare that A. B. who has signed this agreement is to our personal knowledge the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) C. D.
(,,) E. F.

We declare that, to the best of our knowledge and from the best information which we have been able after careful enquiry to obtain, the person who has passed this agreement is a fit person to be accepted by the State Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) G. H.,
Patel.
I. J.,
Village Accountant.

FORM J (Rule 46).

FORM OF AGREEMENT* FOR EXCHANGE TO BE EXECUTED BY VILLAGERS REMOVING TO A NEW VILLAGE-SITE.

Agreement executed the day of 19 by *A.B.* resident of in the taluka :

Whereas the State Government have been pleased to sanction a change being made in the position of the site of the village of in the registration sub-district of , and in pursuance of such sanction the following plot of ground has been alloted to me in the new site in exchange for the ground held by me in the old site, namely, the piece of land bounded as follows, that is to say on the North by , on the South by , on the East by , on the West by , measuring in length from North to South, and in length from East to West, and comprising about square in superficial area and bearing No. in the Land Records.

I do hereby agree, in consideration of the allotment to me of the new piece of land aforesaid, as follows, namely :—

(1) That all my right, title and interest in any land whatsoever, situate within the old site of the said village, shall be deemed to be, and is hereby, surrendered to the State Government, together with the trees standing thereon and all rights over or other benefits arising out of or enjoyed by me in respect of the said land :

* The stamp duty for this agreement is reduced to four annas ; item 10 of Notification of the Government of India, 3616-Exc. 16-7-09. R 7317-09.

(2) That I shall hold the piece of land aforesaid in the new site from the date of this agreement on the same terms and with the same rights and subject to the same liabilities as would apply to my tenure of the ground held by me in the old site, if I continued to be the holder thereof.

In witness whereof I have hereto set my hand the day and year aforesaid.

Written by (Signed) A. B.
Signed and delivered by in our presence.

FORM JJ.

FORM OF LICENCE FOR AERIAL PROJECTIONS, ETC. (e.g. BALCONIES) OVER GOVERNMENT LAND.

This indenture made the day of one thousand nine hundred and between the Governor of Bombay (hereinafter referred to as 'the Government') of the one part and of (hereinafter referred to as 'the licensee') (which expression shall, unless it is excluded by or repugnant to the context, include his heirs, executors, administrators, and assigns) of the other part.

Whereas the Government is possessed of and absolutely entitled in perpetuity free from encumbrances to the piece of land measuring approximately square yards and situate at in the (village) taluka of the district and bearing Survey No. and bounded on the North by on the South by on the East by on the West by and of the shape and approximate dimensions shown in the sketch* hereto annexed (hereinafter referred to as 'the said land');

And whereas the licensee has projected balcony / wishes to project other aerial projections.** on the said land.

And whereas the licensee has applied for permission to retain / project the said balcony / projection over the said land and whereas the Government has by Government Resolution, Revenue Department, No. 1834/24, dated 16th October, 1939, authorized the, Collector of / Executive Engineer. Division, hereinafter referred to as "Collector / "Executive Engineer," to grant such permission.

And whereas the Collector of / Executive Engineer . Division has agreed to grant such permission on the terms and conditions hereinafter mentioned.

Now, this indenture witnesseth that in consideration of the payment by the licensee of the sum hereby reserved and of the conditions hereafter contained and on the part of the licensee to be observed and performed, the Collector / the Executive Engineer

---

* *Note.*—The sketch should show clearly the positions of the plot relative to the road boundary the centre line of the road and the nearest mile or furlong stone.

** Here state the nature of other aerial projections.

hereby grants to the licensee permission to retain/project the said balcony/projection over the said land subject to the following conditions, namely :—

(1) The licensee shall pay to Government every year during the continuance of this licence at the office of the Collector/Executive Engineer on the first day of the annual sum of Rs. in cash, the first of such payments to be made on the day of ;

(2) The licensee shall not without the previous permission in writing of the Collector/Executive Engineer extend or add to the said balcony/projection ;

(3) The permission hereby granted shall not in any way be deemed to convey to the licensee any right to, or over, or any interest in, the said land or any easement thereof or any right to put up posts or supports on the said land for the said balcony/projection ;

(4) In case the licensee's building to which the said balcony/projection is attached falls down or is destroyed by fire, earthquake, storm or as a result of civil commotion or by any other cause whatsoever or is reconstructed, this licence shall immediately determine and the licensee shall not be entitled to claim any right to put up a similar balcony or any similar aerial projection in respect of any building which may be constructed in lieu of the building fallen or destroyed as aforesaid ;

(5) The Collector/Executive Engineer may cancel this licence at any time by giving to the licensee one month's notice in writing of his intention and at the expiration of such period this licence shall cease and be void ;

(6) During the subsistence of this licence the said balcony/projection shall be deemed to have been constructed and continued by the consent and permission in writing of the Government so that the right of the licensee to any easements on the said land shall not become absolute or indefeasible by lapse of time.

In witness whereof the Collector/the Executive Engineer, District/Division has on behalf of the Governor of Bombay hereunto set his hand and seal of his office the day and year first above written.

Signature of the Collector/Executive Engineer in the presence of—

1
2

I accept the above conditions.

Signature of the licensee in the presence of—

1
2

(*Notes.*—1. This licence requires one rupee stamp and does not require registration.

2. This form is also meant for use by Executive Engineers for grant of such licences in respect of Government land in charge of the Public Works Department. (*Vide* Government Resolution, Home Department, No. 5940/3-II, dated 1st December 1938.)

FORM JJJ.

[Rule 51 (3).]

Form of Sanad in cases where assessment on land in certain city-surveyed areas assessed for agriculture and permitted to be temporarily used for non-agricultural purposes other than building is altered under section 48.

Whereas the land hereinafter described by measurement and by the boundaries specified in the schedule (and delineated in the map hereto appended) and bearing (or forming part of) City Survey No. in the $\frac{\text{City}}{\text{Town}}$ of in the taluka of entered in the name of, and at present held by , resident of has been hitherto assessed for purposes of agriculture at the rate of ; and whereas the said land has been permitted to be used for a non-agricultural purpose, other than for a permanent building to wit, for $\frac{}{\text{(Describe purpose,)}}$ and such assessment has thereby become liable, under section 48 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as " the said Code ") to be altered and fixed at a different rate :

Now this is to certify that under the provisions of the said Code and the rules in force thereunder the said land is hereby permitted to be used for the purpose stated above for term of years from 19 and that the amount to be paid as land revenue on the said land has been fixed for the said term of years at [Rupees (words)] [Rs. (figures)] payable in one instalment on . If the permission hereby granted is renewed on the expiry of the said term, the assessment aforesaid shall be liable to revision in accordance with the said Code and the rules and orders for the time being in force thereunder.

In case of a breach of any of the conditions of this sanad, the Collector may, without prejudice to any other penalty to which the holder of the said land may be liable under the provisions of the said Code, direct the removal or alteration of any structure erected or used contrary to the provisions of this sanad within a time prescribed in that behalf by the Collector, and on such removal or alteration not being carried out within the period so prescribed, may cause the same to be carried out and may recover the cost of carrying out the same from the holder as an arrear of land revenue.

Schedule hereinbefore referred to.

Length and Breadth.		Total Superficial area.	Bearing (or forming part of) City Survey No. or Nos.	Boundaries.				Remarks.
North to South.	East to West.			North.	South.	East.	West.	

In witness whereof the Collector of has hereto set his hand and the seal of his office this day of 19 .

Seal.

Collector.

Note.—The Collector has full power to impose any conditions he thinks fit for the erection of temporary structures. Such conditions will be inserted after the schedule.

FORM K (Rule 54).

FORM OF WRITTEN PERMISSION TO OCCUPY LAND TO BE GIVEN BY A MAMLATDAR UNDER SECTION 60.

Permission is hereby given to *A. B.*, inhabitant of in the taluka, to occupy Survey No. (*or* the building-site hereinbelow described *or otherwise as the case may be*), in the village of in the taluka, in accordance with the Sanad granted (*or*, upon the conditions sanctioned by the Collector in his order No. dated).

Dated the day of 19 at

Seal.

(Signed)
Mamlatdar.

FORM KK (Rule 54, Bombay Suburban).

Permission is hereby given to you A. B., inhabitant of , to occupy the building site hereinbelow described in the village of in the taluka in accordance with the conditions sanctioned by the Collector and accepted by you in the agreement dated the day of 19 subject to which this permission is given.

Description of Land.

Plot No. in the Suburban Scheme No.
Dated the day of 19 ,
at

Seal.

(Signed)
Mamlatdar.

FORM L (Rule 74).

FORM OF NOTICE* OF RELINQUISHMENT.

To the Mamlatdar of

I, A. B., inhabitant of in the taluka, the $\frac{\text{occupant}}{\text{holder}}$, of Survey No. (or sub-division No.) or the building-site hereinbelow described (*or otherwise as the case may be*), in the village of in the taluka, hereby give notice under section 74 of the Bombay Land Revenue Code, 1879, that it is my intention to relinquish and I hereby do relinquish the said Survey No. (or building-site, etc.,) at the end of the curent year,§ subject to any rights, tenures, incumbrances or equities lawfully subsistirng in favour of any person (other than the State Government or the $\frac{\text{occupant}}{\text{holder}}$).

Dated this day of 19 at

Written by

(Signed) A. B.

FORM M.

FORM OF SANAD IN CASES WHERE THE ASSESSMENT ON LAND APPROPRIATED TO BUILDING PURPOSES IS ALTERED UNDER SECTION 48.

WHEREAS application has been made to the Collector of (hereinafter referred to as "the Collector" which expression shall include any officer whom the Collector shall appoint to exercise and perform his powers and duties under this grant) under section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "the said Code" which expression shall where the context so admits include the rules and orders thereunder) by inhabitant of being the registered occupant of Survey No. in the village of in the taluka hereinafter referred to as "the applicant" which expression shall where the context so admits include his heirs, executors, administrators and assigns) for permission to use for building purposes the plot of land (hereinafter referred to as the "said plot") described in the first schedule hereto and indicated by the letters on the site plan annexed hereto, forming part of Survey No. and measuring be the same a little more or less.

Now this is to certify that permission to use for building purposes the said plot is hereby granted subject to the provisions of the said Code, and on the following conditions namely :—

(1) *Assessment.*—The applicant in lieu of the assessment heretofore leviable in respect of the said plot shall pay to the State Government on the day of in each year an annual assessment of Rupees (Rs.) during the thirty (30) years commencing on the day of 19 , or in composition therefor a lump sum of Rupees (Rs.) being

* No Court-fee is chargeable, *vide* Court-fees Act II of 1870, section 19 (XI).

§ These notices must be given before the 31st March, or such other date as Government prescribe under section 74 for each district.

twenty times the said annual assessment; and on the expiry of the said period of thirty years, such revised assessment as may from time to time be fix d by the Collector under the said Code:

Provided that where the applicant is a Co-operative Housing Society, it shall be entitled to such exemption from the payment of altered assessment in whole or in part as is permissible under proviso (2) to clause (*a*) of rule 86.

(2) *Use.*—The applicant shall use the said plot only for building purposes of the nature specified in condition (3) of this sanad. He shall not without the previous permission in writing of the Collector, use the said plot or any part thereof for any purpose other than that for which permission to use it has been granted to him.

(3) *Building time Limit.*—The applicant shall within three (3) years from the date hereof, erect and compl te on the said plot* of a substantial and permanent description, and shall in regard thereto duly comply in every respect with the building regulations contained in clauses etc., of the second schedule hereto.

(4) *Liability for Rates.*—The applicant shall pay all taxes, rates and cesses leviable on the said land.

(5) *Penalty clause.*—(*a*) If the applicant contravenes any of the foregoing conditions, the Collector may, without prejudice to any other penalty to which the applicant may be liable under the provisions of the said Code, continue the said plot in the occupation of the applicant on payment of such fine and/or assessment as he may direct.

(*b*) Notwithstanding anything contained in sub-clause (*a*) above, it shall be lawful for the Collector to direct the removal or alteration of any building or structure erected or used contrary to the provisions of this grant within a time prescribed in that behalf by the Collector and on such removal or alteration not being carried out within the prescribed period, he may cause the same to be carried out and may recover the cost of carrying out the same from the applicant as an arrear of land revenue.

(6) *Code provisions applicable.*—Save as herein provided, the grant shall be subject to the provisions of the said Code.

(*Map.*)

Schedule I.

Length and Breadth.		Total super-ficial area.	Forming (part of) Survey No. or Hissa No.	Boundaries.				Remarks.
North to South.	East to West.			North.	South.	East.	West.	

*Here insert description of the building such as "a residential bungalow and outhouses."

Schedule II.

(The numbers of the conditions which are applicable should be entered in condition 3 of the grant: and special conditions should be inserted in continuation.)

1. The applicant may build on the area marked on the map annexed and shall leave the remaining area of the said plot as an open space.

2. of the said plot shall be left open to the sky.

3. Any latrine, cesspool, or stables constructed on the said plot shall, if any place shall have been set apart in the map annexed for such purpose be constructed in such place and not elsewhere.

4. No building shall be erected in the said plot more than feet in height.

5. The building erected on the said plot shall be used for residential purposes only.

6. No building erected on the said plot shall be used as a shop or a factory or as a place for carrying on an offensive trade.

7. The grant shall be subject to the following special conditions:—

(*a*)

(*b*) etc., etc.

IN WITNESS WHEREOF the Collector of has hereunto set his hand and the seal of his office on behalf of the Governor of Bombay; and the applicant has also hereunto set his hand this day the of 19 .

(Signature of applicant.)

(Signatures and designations of witnesses.)

(Signature of Collector.)

(Signatures and designations of witnesses.)

(Seal of Collector.)

We declare that *A. B.*, who has signed this notice, is, to our personal knowledge, the person he represents himself to be, and that he has affixed his signature hereto in our presense.

(Signed) *E. F.*
G. H.

N. B.—1. This document need not be registered section 90 (1) (*d*), Act XVI of 1908.

2. This document is exempt from stamp duty (Rule 7, G. of I. Notification No. 3616,—Exc. 16-7-09) See also R. 7431-23. Form was sanctioned in G. R.1291-20.

3. When an additional condition regarding the reservation of margin and surrender of a strip of land to the State Government for purposes of a road is to be imposed, the applicant should be required to execute an agreement in form "MM" along with the sanad in form "M".

FORM MM.

Form of agreement to be executed by the applicant where an additional condition regarding the reservation of margin and surrender of a strip of land to the State Government for the purpose of a road is to be imposed in addition to the conditions in Form M.

This agreement made the day of one thousand nine hundred and forty between the Governor of Bombay (hereinafter called 'the Government') of the one part and A.B., , inhabitant of in the taluka of the district (hereinafter called 'the occupant', which expression shall, unless excluded by or repugnant to the context, include his heirs, executors, administrators and assigns) of the other part.

Whereas permission has been granted by the Collector of (hereinafter referred to as 'the Collector') to the occupant to use for building purposes the plot of land (hereinafter referred to as 'the said plot') described in the Schedule hereto and indicated by the letters on the site plan annexed hereto, forming part of Survey No. and measuring , be the same a little more or less, subject to certain conditions; and whereas a sanad in Form M appended to the Bombay Land Revenue Rules, 1921, has been granted to the occupant this the day 19 ;

And whereas the occupant has agreed to use the said plot for building purposes subject, *inter alia*, to the condition that a portion thereof shall be left as an open space.

Now this indenture witnesseth that in consideration of the permission being given to use the said plot for building purposes, the occupant hereby agrees with the Government that if the Collector shall give the occupant notice in writing that a strip of land from the said open space left in the said plot not more than feet in depth, is required by the State Government for the purposes of a road, the occupant shall, at the expiration of one month after the receipt of such notice, quietly surrender and hand over possession of such strip of land to the Collector in consideration of receiving from Government in exchange and as full compensation therefor a sum equivalent to ( ) times the assessment proportionately payable upon the strip so surrendered:

Provided that where the materials of any gate, wall, pavement or other such authorised erection or construction on such portion cannot in the opinion of the Collector be removed without appreciable loss, such further compensation on this account shall be paid to the occupant as the Collector may deem fit.

2. The occupant shall bear all costs incurred in the preparation, execution and stamping of these presents.

SCHEDULE.

(HERE DESCRIBE THE PLOT OF LAND.)

In witness whereof the Collector of hath set his hand and the seal of his office on behalf of the Government and Mr. has set his hand hereto the day and year first above written. Signed, sealed and delivered by Collector of

In the presence of

1.

2.

Signed and delivered by

1.

2.

ANNEXURE : " SITE PLAN ".

Seal.

FORM N [Rule 87 (*b*)].

Form of Sanad in cases where the Assessment on land appropriated to Non-agricultural purposes other than Building is altered under section 48.

WHEREAS the land hereinafter described by measurement and by the boundaries specified in the schedule (and delineated in the map hereto appended) and forming (part of) Survey No. in the village of in the taluka of , entered in the name of and at present held by , resident of has been hitherto assessed for purposes of agriculture at the rate of ; And whereas the said land been used for non-agricultural permission has been applied for to use the said land purpose, for a non-agricultural purpose, which permission in hereby granted, to wit for (describe purpose (but not for building) and such assessment has thereby become liable under section 48 of the Bombay Land Revenue Code, 1879, to be altered and fixed at a different rate :

Now this is to certify that under the provisions of the said Code and rules in force thereunder the assessment of the amount to be paid annually as land-revenue on the said land has been fixed for a term of years from the day of 19 , at the sum of Rs. (*figures*) [Rupees (*words*)] payable in each year of the said term in one instalment due on* in each year.

On the expiry of the said term, and at such further intervals as may be from time to time directed by the State Government in this behalf, the assessment aforesaid will be liable to revision in accordance with the said Code and the rules and orders for the time being in force thereunder. The occupant is hereby prohibited from using, without the previous permission in writing of the Collector, the said land or any part thereof for any purpose other than the one hereinbefore stated.

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* Here insert the usual date of the Land Revenue first instalment or such other date as the Collector may fix (Rule 116).

Schedule hereinbefore referred to.

Length and Breadth.		Total super-ficial area.	Forming (part of) Survey No. or Hissa No.	Boundaries.				Remarks.
North to South.	East to West.			North.	South.	East.	West.	

In witness whereof the Collector has hereto set his hand and the seal of his office this day of 19

Seal.

Collector.

NOTE.—In such Sanads also the Collector has full power to impose conditions, which will be inserted after the schedule.

FORM N-1 [Rule 87(*b*)].

FORM OF SANAD IN CASES WHERE THE ASSESSMENT ON LAND TEMPORARILY APPROPRIATED TO NON-AGRICULTURAL PURPOSES OTHER THAN BUILDING IS ALTERED UNDER SECTION 48.

WHEREAS the land hereinafter described by measurement and by the boundaries specified in the schedule (and delineated in the map hereto appended) and forming (part of) Survey No. in the village of in the taluka of entered in the name of, and at present held by , resident of , has been hitherto assessed for purposes of agriculture, at the rate of ; And whereas the said land has been used for non-agricultural / permission has been applied for to use the said land for a non-agricultural purpose, which permission is hereby granted, to wit for (describe purpose) but not for a permanent building) and such assessment has thereby become liable under section 48 of the Bombay Land Revenue Code, 1879, to be altered and fixed at a different rate :

Now this is to certify that under the provisions of the said Code and rules in force thereunder, the assessment of the amount to be paid as land-revenue on the said land, has been fixed for a term of from the day of 19 , at the sum of Rs. (figures) [Rupees (words)] payable in one instalment on

On the expiry of the said term the occupant shall restore the land to agricultural use unless he has in the meanwhile applied for and obtained the permission of the Collector to continue the non-agricultural use of the land. If such permission is granted, the altered assessment aforesaid will be liable to revision in accordance with the said Code and the rules and orders for the time being in force thereunder.

In case of breach of any of the conditions of this sanad the Collector may, without prejudice to any other penalty to which the holder of the land may be liable under the provisions of the said Code—

(*a*) continue the said land in the occupation of such holder on payment of such fine and/or assessment as he may direct ; and

(*b*) direct the removal or alteration of any building or structure erected or used contrary to the provisions of this sanad within a time prescribed in that behalf by the Collector and, on such removal or alteration not being carried out within the prescribed period, cause the same to be carried out and recover the cost of carrying out the same from the holder as an arrear of land revenue.

Schedule hereinbefore referred to.

Length and Breadth.		Total Superficial area.	Forming (part of) Survey No. or Hissa No.	Boundaries.				Remarks.
North to South.	East to West.			North	South.	East.	West.	

In witness whereof the Collector has hereto set his hand and the seal of his office this day of 19 .

Seal.

Collector.

NOTE.—The Collector has full power to impose any conditions he thinks fit. Such conditions will be inserted after the schedule for the erection of temporary structures.

FORM O (Rule 104 and Rule 113).

RECORD OF RIGHTS.

A double-page form with sufficiently wide columns for (or cards in V. F. VII-XII ruled to contain) the folllwing particulars :—

1. Serial Number.
2. Survey Number (if inam, the kind of inam).
3. Area.
4. Ordinary or Special Assessment and Judi.
5. Sub-division Number.
6. Area.
7. Assessment.
8. Judi or Special or Non-agricultural Assessment payable.
9. Occupant of Khalsa Land or Holder of Alienated Land.
10. Nature and origin of Title.
11. Other rights or encumbrances with names of right-holder or encumbrancer.
12. References to Mutation Diary, Form P.
13. Remarks.

FORM P (Rule 104).

MUTATION REGISTER.

A single page form with columns showing the following particulars :—

Serial No. of entry. 1	Nature of right. 2	Survey and anti-division Nos. affected. 3	Initials or remarks by testing officers. 4

FORM Q (Rules 104 and 108).

REGISTER OF DISPUTED CASES.

Serial No. 1	Number in Form O or P. 2	Survey No. & Hissa No (or part). 3	Date of receipt of objection. 4	Particulars of dispute with names. 5	Orders of mamlatdar or Collector. 6

FORM R (Rule 113).

[Now Combined with V. F. XII (Form 6) in card form.]

FORM S (Rule 118).

NOTICE TO A DEFAULTER.

To *A B* residing at

You are hereby required to take notice that the sum of Rs. a. p. due by you on the as the* instalment of land revenue on the land held by you, of which full details can be obtained from the Village Accountants (or otherwise as the case may be), in the village of in the taluka of has not been paid and that, unless it is paid within ten days from the date of this notice together with the sum of annas, being the fee chargeable for this notice, compulsory proceedings will be taken according to law for the recovery of the whole of the revenue still due by you on the said land, together with an additional penalty not exceeding one-fourth of the said arrears under section 148 of the Land Revenue Code.

Dated the day of 19 .

(Signed) Mamlatdar (or Aval Karkun).

*"First" or "Second", as the case may be.

FORM T (Rule 120).

Form of Agreement to be passed when forfeited land is restored on new tenure.

Agreement

To

The Mamlatdar of

I., *A. B.*, inhabitant of in the Taluka hereby accept the right of occupation of the land comprised in Survey Number in the village of in the the Taluka and I pray that my name may be entered in the Government records as the occupant of the said land.

The said land which has been foreited for arrears of land revenue has been regranted to me subject to the provisons of the Bombay Land Revenue Code, 1879, and of the Rules in force thereunder in perpetuity§ from the day of 19 ; and I undertake to pay the land revenue from time to time lawfully due in respect of the said land.

The said land has been regranted to me after forfeiture, subject to the condition to which I hereby assent in consideration of the regrant, namely, that I, my heirs, executors, administrators and approved assigns may not at any time lease, mortgage, sell or otherwise howsoever encumber the said land or any portion thereof without the previous sanction in writing of the Collector.

Dated the day of 19 at

Written by

(Signed) *A. B.*

We declare that *A. B.*, who has signed this agreement, is to our personal knowledge, the person he represents himself to be, and that he has affixed his signature hereto in our presence.

(Signed) C. D.
E. F.

We declare that to the best of our knowledge and from the best information we have been able, after careful inquiry, to obtain, the person who has passed this agreement is a fit person to be accepted by the State Government as responsible for the punctual payment of the land revenue from time to time due on the above land.

(Signed) *G. H.*, Patel,
I. F., Village-Accountant.

§ When not granted in perpetuity delete the word and insert " until the day of 19 ".

FORM U (Rule 129).

(*Standard Form R. M. 20*).

FORM OF PROCLAMATION AND WRITTEN NOTICE OF SALE OF ATTACHED PROPERTY.

(Under Section 165, L. R. C.).

Whereas the property of hereinunder specified has been attached on account of the Government assessment Rs. due by the said ; and whereas it is necessary to recover the said amount by sale of the said property, together with all lawful charges and expenses resulting from the said attachment and sale :

Notice is hereby given that on the day of 19 at o'clock A. M. A. B. the Mamlatdar of (or other person appointed) will, at in taluka in this district sell by auction to the highest bidder and upon such conditions as to upset price and other conditions as are set out in the subjoined Schedule of Conditions of Sale, the right, title and interest of the said in the property hereinunder specified, and every power of disposing of the same or any of them or of the profits arising therefrom which the said may now consistently with the law exercise for his own benefit.

Notice is also given that it shall be open to the Collector or his nominee to bid at the auction and purchase the said property on behalf of the State Government for a bid of rupee one.

Moveable Property.

(This table only should be omitted when the form is to be used under rules for the execution of decrees.)

1	2	3	4	5	6
Lot No.	Number and description of articles.	Where attached.	Where now placed.	When to be viewed.	Whether the sale is subject to confirmation or not.

Immoveable Property.

1	2	3	4	5	7	8	9
Lot No.	Description of Lot, including local situation, supposed or estimated rent or annual value and if leased, for how long, on what terms, and to whom.	Survey number, municipal number and other cadastral designation.	Government Revenue, including any Local Cess and any other known fiscal charge resting on the Lot.	Present occupant.	(Here enter any other particulars the Collector may see fit).		(This column should be used for particulars which the Collector may see fit to enter under the rules for the execution of Civil Court decrees.)

N. B.—No guarantee is given of the title of the said or of the validity of any of the right, charges or interests claimed by third parties.

(Signed)

Collector.

A printed *schedule* setting forth the conditions of sale according to the Code and Rules shall be appended.

FORM W (Rule 129).

FORM OF PROCLAMATION AND WRITTEN NOTICE OF SALE OR RIGHT OF OCCUPATION OF UNOCCUPIED LAND.

Notice is hereby given that the right of occupation of the under mentioned unoccupied land, situate in the village of in the taluka will be put up to public auction at on the day of 19 at or after o'clock $\frac{\text{A. M.}}{\text{P. M.}}$

The written (or printed) conditions of sale signed by *[may be seen on application during office hours, on any office day before the day of the auction, to the Mamlatdar of or, at the time of the auction, to the officer who conducts the same] and intending bidders are warned that they should ascertain the said conditions before bidding.

* [or " are subjoined to this Proclamation "].

Description of the Land.

Here give a full description of the land, *viz.*, the Survey Number or Numbers, if it has been surveyed, if not, its boundaries; the class of land, *i. e.*, whether it is dry-crop land, garden land or a building, etc., the area of the land, adding "be the same more or less"; the assessment, if any, at present payable for the land, and the term for which that assessment has been fixed.

(Signed)
Collector (or other competent officer).

Dated the day }
of 19 . }

G. N., R. D., No. 4112, dated 11th November 1930 (B. G., Pt. I, p. 2800). S. 214 (1).

In exercise of the powers conferred by sub-section (1) of section 214 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), the Governor in Council is pleased to make the following rules regulating entry into any premises by any officer empowered under section 154 of the said Code for the distraint of moveable property of a defaulter :—

1. *Service of notice.*— Where an officer in exercise of his power of distraint under section 154 of the Bombay Land Revenue Code, 1879, intends to enter any building used as a human dwelling, the notice required by the proviso to section 200 shall be served by presentation to the defaulter or to any adult male member of his family present in the building, or failing either of the aforesaid methods, by being affixed to any prominent part of the building.

2. *Breaking open doors.*— An officer in exercise of the aforesaid power of distraint may break open, at any time between sunrise and sunset, the gate of any private street or any outer or inner door or window of any premises, if he has reasonable grounds for believing that such street or premises contain any property liable to distraint as aforesaid, and if after notifying his authority and purpose and duly demanding admittance, he cannot otherwise obtain admittance :

Provided that such officer shall not enter, or break open a door or window of any apartment in the actual occupation of a woman who according to custom does not appear in public, until he has given notice to such woman that she is at liberty to withdraw and has given her every reasonable facility for withdrawing.

3. *Forcing open of receptacle.*— An officer in exercise of the aforesaid power of distraint may break open any closed receptacle found on any premises entered in exercise of the said power, if he cannot otherwise, after demand duly made from the persons, if any, occupying the said premises to open the receptacle, obtain inspection of the contents of the same.

4. *Value of property distrained.*— The estimated sale proceeds of the property distrained shall be as nearly as possible equal to the amount in respect of which the defaulter has made default.

5. *Inventory.*— An officer on distraining any property from any premises shall make an inventory thereof; and shall supply a copy of the inventory to the defaulter, or to any adult male member of his family present; if neither the defaulter nor any such member is present, the officer shall affix a copy of the inventory to a prominent part of the premises from which distraint has been made.

Ss. 214, 74 & 76. **G. N., R. D., No. 9712/28, dated 6th April 1936 (B. G., Pt. IV-A, p. 439).**

Amended by G. N., R. D., No. 9712/28, dated 11th May 1939.

In exercise of the powers conferred by section 214 read with sections 74 and 76 of the Bombay Land Revenue Code, 1879 (Bom. V of 1879), and of all other powers enabling him in this behalf, the Governor in Council is pleased to make the following rules for the relinquishment of alienated lands held for service :—

1. (1) Subject to the provisions of sections 74 and 76 of the Bombay Land Revenue Code, 1879 (Bom. V. of 1879), the holder or holders of any land held for service intending to relinquish the same or any part thereof, that is, to resign or surrender it in favour of Government, shall make an application to the Collector of the district in which such land or part thereof is situate. Such application shall be in writing and shall be signed by the holder or, if there are joint holders, by all such joint holders. If the land is held hereditarily for service, the application shall be accompanied by the consent in writing of all persons who may, at the date of the application, have a present hereditary interest in the land.

(2) If the holder or any of the joint holders or any person having the present hereditary interest is affected with a legal disability the application or consent, as the case may be, shall be signed by his legal representative entitled to act or enter into contracts on his behalf.

2. On the receipt of such application the Collector may, after holding an inquiry himself or causing such inquiry to be held by an officer not lower in rank than a Mamlatdar or Mahalkari, and on being satisfied that the requirements of sub-rule (1) have been duly complied with, direct that the land shall, subject to any rights, tenures, incumbrances or equities (other than those of the State Government, the applicant and any other person consenting to the relinquishment) lawfully subsisting in favour of any person, be entered in Government records as unalienated unoccupied land, and the land shall thereupon cease to be land held for service. The Collector may, subject to such orders as may be passed by the Commissioner in this behalf, grant permission to occupy the said land or any portion thereof to any person who made or consented to the relinquishment on such terms and conditions as he thinks fit.